

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTY-EIGHTH DAY'S PROCEEDINGS

**Thirty-Second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, June 5, 2006

The Senate was called to order at 3:00 o'clock P.M., by Hon. Diana Bajoie, President Pro Tempore of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

ABSENT

Adley	McPherson
Total - 2	

The President Pro Tempore of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Senator Broome, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Broome, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

STATE OF LOUISIANA
Department of Health and Hospitals

May 31, 2006

The Honorable Donald E. Hines, President

Louisiana State Senate
Post Office Box 94183
Baton Rouge, LA 70804-9183

Dear Senator Hines:

In accordance with Louisiana Revised Statute 36:255, I have appointed Dr. Roxane Townsend as Deputy Secretary of the Department of Health and Hospitals.

In that regard, I hereby acknowledge the following appointment to the Department of Health and Hospitals and submit to you the name for consideration of Senate confirmation as required by law.

DEPUTY SECRETARY
(Effective April 24, 2006)
Dr. Roxane Townsend
P. O. Box 629
Baton Rouge, LA 70821-0629

Thank you in advance for your attention to this important matter, and please contact me should you have any questions or need additional information.

Sincerely,
FREDERICK P. CERISE, M.D., M.P.H.
Secretary

**Privilege Report of the
Legislative Bureau**

June 5, 2006

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 5—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 8:78, relative to the Louisiana Cemetery Board; to provide for exemption from board authority; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 39—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:2721.15, relative to the parish of St. Helena; to authorize the governing authority of the parish to levy and collect an additional sales and use tax; to provide for the purpose of the tax; to provide for voter approval; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 177—
BY REPRESENTATIVE SMILEY
AN ACT

To enact R.S. 49:155.6, relative to state symbols; to require the state poem to be "I Love My Louisiana" by James Ellis Richardson; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 204—
BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 40:2009.4.1, relative to nursing homes; to require the installation of supervised automatic fire sprinkler systems; to provide for the offset of costs; to provide for violations; and to provide for related matters.

Reported without amendments.

June 5, 2006

HOUSE BILL NO. 226—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:193(A), relative to viatical settlements; to provide relative to the annual statement of viatical settlement transactions required to be submitted to the commissioner of insurance; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 241—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 13:3715.1(J), relative to medical records; to add the Louisiana State Board of Physical Therapy Examiners to the list of health care provider licensing boards which are exempt from notice when subpoenaing records; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 251—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:191.1(C), relative to viatical settlements; to provide for an annual expiration date for a license as a viatical settlement provider, broker, or investment agent; to provide otherwise with respect to renewal of such licenses; to provide relative to the annual statement required of licensees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 456—
BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:1478, relative to property or casualty insurance; to require that certain bills sent by an insurer to its policyholder for an insurance premium identify the property upon which the premium is due; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 479—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 22:1410(A)(1) and 2092.2(17)(b)(vi) and to enact R.S. 22:1409(G)(2)(e) and 2092.5.1, relative to title insurance; to provide for contents of title opinions; to authorize a certain organization to make filings for their members; to provide title insurers the ability to seek permission to file a deviation from certain rates; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 510—
BY REPRESENTATIVE BARROW
AN ACT

To enact R.S. 40:5.5.1, relative to food service establishments; to require posting of signs at self-service buffets; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 517—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for a fee for the acceptance of service of process when appointed as agent for a nonresident licensee or a foreign or alien entity; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 578—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:1520.1, relative to electronically filed state tax returns; to require taxpayers filing for a state individual income tax refund using a Federal/State E-file Program to direct deposit the state tax refund when the federal tax refund is directly deposited; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 699—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1356 through 1368, relative to cable services; to create the "Competitive Cable and Video Services Act"; to provide guidelines for cable and video services; to provide for certificate of franchise authority to be distributed by the secretary of state; to provide for franchise fees associated with cable or video services; to provide for franchise fee audits and dispute resolutions; to provide for the distribution of these fees; to provide for a prohibition against build-out requirements; to authorize a local governmental subdivision to regulate a certificate holder; to prohibit discrimination with regards to cable or video services; to provide for public, educational, and governmental access channels; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 699 by Representative Montgomery

AMENDMENT NO. 1
On page 9, lines 15 and 17, change "1360" to "1361"

AMENDMENT NO. 2
On page 14, line 7, change "1362" to "1363"

HOUSE BILL NO. 742—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1730.27(B), 1730.35(A) and (C), and 1730.36, relative to state building codes; to provide for effective period of emergency provisions; to provide for application process; to provide for registration; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 791—
BY REPRESENTATIVES LANCASTER, SMILEY, ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, AND SALTER AND SENATORS BAJOEI, HINES, MOUNT, AND NEVERS
AN ACT

To amend and reenact R.S. 17:2047(B) and 2048(C), R.S. 23:1871(O) and (P), R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 37:1005(B), and R.S. 46:2674(A)(2), to enact R.S. 36:209(H)(3) and 259(D), and to repeal Part X of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:551.81 through 551.85, R.S. 23:103 and 1871(C)(13) and (G)(2), R.S. 25:1222(C) and 1223.1, Chapter 30 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1261 through 1264, Part I of Chapter 6 of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:401, Chapter 27 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2351 through 2357, R.S. 36:109(G)(2), 209(I), (R), (T), and (Y), 239(C), 259(E)(22) and (HH), 309(H), 359(H), 629(E)(2), 744(K), 802.13, 802.20, and 919.5, Subpart C of Part III of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1007, R.S. 38:291(J) and 421(I), Chapter 15 of Title 41 of the

Louisiana Revised Statutes of 1950, comprised of R.S. 41:1751 through 1753, Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:844.21 through 844.25, R.S. 46:2675, Chapter 7 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2341 through 2347, Part VI-D of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:109.1, R.S. 49:229.1, Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2401 through 2406, and Act No. 319 of the 1977 Regular Session of the Legislature, relative to boards, commissions, districts, authorities, and like entities; to abolish certain boards, commissions, districts, authorities, and like entities; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Pork Promotion Board; to remove references to and provisions for the Louisiana-Mississippi Tangipahoa River Waterway Compact; to remove references to, provisions for, and the powers, functions, and duties of the Grant Parish Port Commission; to remove references to, provisions for, and the powers, functions, and duties of the Nursing Supply and Demand Commission; to remove references to, provisions for, and the powers, functions, and duties of the North Bossier Levee District; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Advisory Committee on Assisted Living; to remove references to, provisions for, and the powers, functions, and duties of the Education Facilities Trust Fund District and its board of trustees; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Private Employment Service Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Purchase Commemorative Act Commission; to remove certain references to the Louisiana Biomedical Research and Development Park Commission and the Louisiana Litter Reduction and Public Action Commission; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Eastern New Orleans Interstate Oversight Commission; to remove references to, provisions for, and the powers, functions, and duties of the First Stop Shop Coordinating Council; to remove references to, provisions for, and the powers, functions, and duties of the Manchac Parkway and its commission; to remove references to, provisions for, and the powers, functions, and duties of the Red River Development Council; to remove provisions for the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; to abolish the Louisiana Unmarked Burial Sites Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Culture, Recreation and Tourism; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 914—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 22:658(A)(1), relative to payment and adjustment of claims; to provide for the payment of claims; to provide for the notification of insurance producers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 934—
BY REPRESENTATIVES QUEZAIRE, BOWLER, AND HUTTER
AN ACT

To amend and reenact R.S. 32:863(B)(3), (C), and (D)(1) and to enact R.S. 32:863(E), relative to compulsory motor vehicle liability security; to provide for sanctions; to provide for exceptions due to natural disaster; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1001—
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 39:461.1(A)(2) and to enact Chapter 61 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2771, relative to health care finance; to establish the Care for Evacuated Patients Program to be administered by the Department of Health and Hospitals; to provide a method of payment for the provision of medical care by nonstate hospitals with respect to certain patients who have been evacuated from a state hospital; to provide for the maximum amount and duration of such payments; to require submission of statements of costs for services to the secretary of the Department of Health and Hospitals; to provide for submission of a request for funding the payment of such costs to the Interim Emergency Board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1090—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 47:2420(F), relative to the state inheritance tax; to provide that no interest shall be assessed on certain delinquent taxes; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1141—
BY REPRESENTATIVES HEBERT AND SCALISE
AN ACT

To amend and reenact R.S. 22:1430.12(A)(1), relative to insurance rates for certain policies; to exempt certain coverages from certain requirements for rates for policies offered by the Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1175—
BY REPRESENTATIVE SALTER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 47:511.1(A) and to enact R.S. 11:607, relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; to create the Department of Public Safety and Corrections Police Officer Fund; to provide for the use of such monies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1185—
BY REPRESENTATIVES DOVE, BURRELL, CROWE, FRITH, GEYMAN, T. POWELL, RITCHIE, GARY SMITH, TRAHAN, AND WHITE
AN ACT

To enact R.S. 40:1730.23(D), relative to local enforcement of building codes; to provide for plans stamped by an architect or

June 5, 2006

engineer; to provide for an effective period; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1193—
BY REPRESENTATIVES BALDONE AND MCDONALD
AN ACT

To amend and reenact Children's Code Article 1131(E)(1), relative to adoptions; to authorize state police to conduct records checks; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1205—
BY REPRESENTATIVES ST. GERMAIN AND BURNS
AN ACT

To amend and reenact R.S. 42:1123(36)(a), relative to ethics; to provide for the amount of certain specified disaster aid or relief a public employee is allowed to receive; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1241—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 44:4(41), relative to information pertaining to the credit card of a public body; to make confidential information related to a credit card issued to a public body that would enable a third person to use the credit card or access the credit card account; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1272—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 22:1478, relative to property insurance; to provide for insurer-produced written catastrophe response plans; to provide that the catastrophe plan describe each insurer's response to catastrophes affecting insureds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1298—
BY REPRESENTATIVES DOVE AND WHITE
AN ACT

To amend and reenact R.S. 40:1730.23(C), relative to enforcement of building codes by third-party providers who contract with a parish or municipality; to provide for limitation of liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1328—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or extension of the use of state sales tax for certain economic development projects or programs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1368— (Substitute for House Bill No. 790 by Representative Labruzzo)
BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 22:1477(B)(5), relative to homeowners' insurance; to provide for disclosure of the possibility of increasing the deductible and lowering the potential cost paid; and to provide

for related matters.

Reported without amendments.

HOUSE BILL NO. 1370— (Substitute for House Bill No. 1099 by Representative Gray)
BY REPRESENTATIVE GRAY
AN ACT

To enact Subpart D-1 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 46:286.2 through 286.4, relative to the Foster Parents' Bill of Rights; to provide for purpose; to provide for the rights of foster parents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1380— (Substitute for House Bill No. 1181 by Representative LaBruzzo)
BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 8:655(C) and (D) and R.S. 37:876(F) and (G), relative to funeral homes; to provide for a child's right to view the body of a deceased parent; to provide for exceptions; to provide for a civil action; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1390— (Substitute for House Bill No. 1340 by Representative Gray)
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 18:401.3(B), relative to the conduct of early voting in certain parishes for certain elections; to authorize the secretary of state to include the conduct of early voting in certain parishes in an emergency plan developed by the secretary of state for the conduct of an election in an area affected by a gubernatorially declared state of emergency; to provide relative to the conduct of such early voting; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1394— (Substitute for House Bill No. 896 by Representative Walsworth)
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 37:1302, relative to the practice of medicine; to allow a physician to discount the fee charged for health care services rendered to an uninsured individual; to provide any such discount granted by a contracted physician to an uninsured individual shall not reduce the contracted reimbursement amount between a physician and a health insurance issuer; to provide for definitions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1395— (Substitute for House Bill No. 1047 by Representative St. Germain)
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 22:1405(J) and 1405.1 through 1405.3, relative to public fire protection grading; to provide for review of public fire protection grading; to provide for a board of review; to provide for powers and duties; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 57—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2011(A)(1) and 2052 and to repeal R.S. 30:2011(A)(2), 2053(5), and 2054(B)(7), relative to environmental quality; to remove the jurisdiction of Department of Environmental Quality relative to the regulation of noise pollution; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 79—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2195.2(A)(1)(c)(ii), and (3), 2195.4(A), and 2195.10 and to enact R.S. 30:2195.9(A)(6); relative to the Motor Fuels Underground Storage Tank Trust Fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; authorizes the Department of Environmental Quality to file liens in lieu of tank owners paying deductibles on underground storage tanks; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 125—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 28:382.2(C) and R.S. 39:1533(A) and to enact R.S. 28:771(G), and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 through 876, and R.S. 36:254(J) and 258(J), relative to human services; to create the South Central Louisiana Human Services Authority; to provide for the powers, duties and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 190—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:114(F)(2) and 1520(A) and (C), relative to the Department of Revenue; to authorize the secretary to require electronic filing of tax returns or reports under certain circumstances; to require that the electronic filing requirement be implemented through administrative rule; and to provide for

related matters.

Reported with amendments.

SENATE BILL NO. 390—
BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 48:250.1, relative to the Department of Transportation and Development's structured training program; to repeal the requirement that construction and maintenance personnel of the department participate in the structured training program.

Reported with amendments.

SENATE BILL NO. 35—
BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Civil Procedure Art. 3061, relative to successions; to provide relative to judgments of possession; to provide relative to the requirement for an inheritance tax return in such instances; to limit such requirement to certain circumstances; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 123—
BY SENATOR LENTINI AND REPRESENTATIVES ANSARDI AND BOWLER

AN ACT

To amend and reenact R.S. 9:315(C)(3)(a), relative to child support; to provide for the definition of gross income; to include the basic allowance for housing for military personnel as gross income; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 227—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 32:295.1(C), relative to safety belts; to exempt from the safety belt law certain utility workers in the performance of their duties under certain circumstances; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 252—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:381(C)(3), relative to utilities and facilities; to provide for the relocation of utilities and facilities for highway widening, relocation, or improvement purposes; to provide for utility relocation agreements; to provide relative to delays; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 589—
BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 48:255(B)(5)(b), relative to bids on contracts for the Department of Transportation and Development; to provide for the rejection of bids; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 268—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:287.655(A), (D)(introductory paragraph), and (G)(1), and to repeal R.S. 47:120, 120.1, and 120.2, relative to installment payments of estimated income tax by corporations; to specify that the amount to be paid if there is an underpayment of tax or an adjustment is a penalty; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 110—
BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend and congratulate James A. "Jimmy" Little on being named King and Champion for 2006 and receiving the coveted "Poo Yie" trophy.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 114—
BY SENATORS N. GAUTREUX AND B. GAUTREUX AND REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To commend Gage Rodriguez of Hanson Memorial High School upon his selection as an alternate representative of south Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Resolutions,
Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 95—
BY SENATORS CHEEK AND JACKSON
A RESOLUTION

To commend the March of Dimes, the office of public health of the Department of Health and Hospitals, and health care providers across the state for their ongoing fight against prematurity and recognizes November 2006, as Prematurity Awareness Month.

On motion of Senators Cheek and Jackson, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 96—
BY SENATOR BAJOIE
A RESOLUTION

Designates June 6, 2006, as "Hunger Awareness Day" and commends and congratulates five food banks in Louisiana on their efforts to end hunger.

On motion of Senator Bajoie, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 97—
BY SENATOR ELLINGTON AND REPRESENTATIVE DURAND
A RESOLUTION

To designate June 13, 2006, as "Men's Wellness Day at the Louisiana Legislature."

On motion of Senator Ellington, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 98—
BY SENATOR MOUNT
A RESOLUTION

Designates Thursday, June 8, 2006, as Girl Scouts Day at the Louisiana State Capitol.

The resolution was read by title; lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATOR ELLINGTON AND REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To commend Mary Barber of West Feliciana High School upon her selection as an alternate representative of south Louisiana at the Hugh O'Brian World Leadership Congress to be held in July in Washington, D.C.

The resolution was read by title. Senator Ellington moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Dupre	Michot
Bajoie	Ellington	Murray
Barham	Fontenot	Nevers
Broome	Gautreaux B	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 29		

NAYS

Total - 0

ABSENT

Mr. President	Gautreaux N	Mount
Adley	Heitmeier	Schedler
Boasso	Lentini	
Fields	McPherson	
Total - 10		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 117—
BY SENATOR JONES
A CONCURRENT RESOLUTION

To create the Louisiana Sentencing Practices Commission to study the current and history of sentencing practices of the state and make a report of its findings, together with any recommendations for changes in legislation, to the Louisiana Legislature no later than April 1, 2007.

On motion of Senator Jones, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

Senate Bills and Joint Resolutions on Second Reading

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 754— (Substitute of Senate Bill No. 100 by Senator Cravins)

BY SENATOR CRAVINS

AN ACT

To enact Part II-H of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.41 through 2120.46, relative to adult day health care providers; to provide for purpose; to provide for definitions; to provide for licensure; to provide for rules, regulations, and licensing standards; to provide for license issuance, application, and onsite inspections; to provide for penalties; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and ordered engrossed and passed to a third reading.

Senate Concurrent Resolutions on Second Reading

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 111—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the issuance of Advance Directive Bracelets in addition to Do Not Resuscitate Bracelets to qualified patients with input from various organizations and associations.

On motion of Senator Smith, the resolution was read by title and returned to the Calendar, subject to call.

SENATE CONCURRENT RESOLUTION NO. 112—

BY SENATOR LENTINI

A CONCURRENT RESOLUTION

To add the director of the division of long-term supports and services within the Department of Health and Hospitals as a member of the Implementation Team of the Louisiana Commission on Decision-Making of Persons with Cognitive Disabilities and to require a report of such team to the Senate Committee on Judiciary A and the House Committee on Civil Law and Procedure.

The resolution was read by title. Senator Lentini moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting YEAS: Amedee, Bajoi, Barham, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fontenot, Gautreaux B, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, Michot, Murray, Nevers, Romero, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table listing names of senators who were ABSENT: Mr. President, Adley, Boasso, Fields, Total - 10, Gautreaux N, Heitmeier, McPherson, Mount, Quinn, Schedler.

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 113—

BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court, through its Chief Justice, to establish a committee to study attorney advertising and the need and feasibility of creating a standing committee to evaluate such advertising, provide written advisory opinions thereon, develop a handbook on advertising, and recommend amendments to the Rules of Professional Conduct.

The resolution was read by title. Senator Marionneaux moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting YEAS: Bajoie, Barham, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fontenot, Gautreaux B, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Shepherd, Smith, Theunissen, Ullo.

Total - 30

NAYS

Total - 0

ABSENT

Table listing names of senators who were ABSENT: Mr. President, Adley, Amedee, Total - 9, Boasso, Fields, Gautreaux N, Heitmeier, McPherson, Schedler.

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 1, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

June 5, 2006

HOUSE BILL NO. 318—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 22:1484(10), relative to insurance; to provide for prohibiting the use of credit information that would increase expiring premiums for policies that renew during a certain period; and to provide for related matters.

HOUSE BILL NO. 515—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact Part V of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1094 through 1097, relative to hospital service districts; to create the Parish Hospital Service District for the parish of Orleans; to provide that such district shall be divided into two separate areas; to provide for the creation of two separate governing boards for each such area and to provide for the membership of each such board; to provide for the powers, duties, functions, and responsibilities of the district and each governing board; to provide relative to per diem paid to governing board members; to provide for limitations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 540—
BY REPRESENTATIVES BURNS AND SCHNEIDER
AN ACT

To enact R.S. 29:726(G), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to require the office to develop a communications system; to require the system to be able to withstand hurricane force winds; and to provide for related matters.

HOUSE BILL NO. 619—
BY REPRESENTATIVES BURNS AND SCHNEIDER
AN ACT

To amend and reenact R.S. 29:726(F), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to include within the authority and responsibilities of the office to develop a wireless communications system; to include within the system coordination between local and state responders; to include within the system certain components; and to provide for related matters.

HOUSE BILL NO. 778—
BY REPRESENTATIVES HUNTER, BAUDOIN, AND THOMPSON
AN ACT

To enact R.S. 9:315.26 and R.S. 32:708.1, relative to child support; to provide for the collection of past due child support; to authorize the filing of liens on motor vehicles owned by a party owing past due support; to provide procedures for the filing of judgments; and to provide for related matters.

HOUSE BILL NO. 1178—
BY REPRESENTATIVES TOOMY, ANSARDI, ARNOLD, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CROWE, DAMICO, DARTEZ, DOERGE, DURAND, FARRAR, FAUCHEUX, FRITH, GALLOT, HARRIS, HEBERT, HILL, JOHNS, LAFLEUR, LAMBERT, MARTINY, ODINET, PINAC, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRICHE, TUCKER, WALKER, WALSWORTH, AND WHITE AND SENATORS AMEDEE, CHAISSON, DARDENNE, FONTENOT, B. GAUTREAU, HEITMEIER, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, AND ULLO
AN ACT

To amend and reenact R.S. 16:11(A)(1), relative to the annual salary of assistant district attorneys paid by the state; to provide for an increase in salary; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a

first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 318—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 22:1484(10), relative to insurance; to provide for prohibiting the use of credit information that would increase expiring premiums for policies that renew during a certain period; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 515—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact Part V of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1094 through 1097, relative to hospital service districts; to create the Parish Hospital Service District for the parish of Orleans; to provide that such district shall be divided into two separate areas; to provide for the creation of two separate governing boards for each such area and to provide for the membership of each such board; to provide for the powers, duties, functions, and responsibilities of the district and each governing board; to provide relative to per diem paid to governing board members; to provide for limitations; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 540—
BY REPRESENTATIVES BURNS AND SCHNEIDER
AN ACT

To enact R.S. 29:726(G), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to require the office to develop a communications system; to require the system to be able to withstand hurricane force winds; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 619—
BY REPRESENTATIVES BURNS AND SCHNEIDER
AN ACT

To amend and reenact R.S. 29:726(F), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to include within the authority and responsibilities of the office to develop a wireless communications system; to include within the system coordination between local and state responders; to include within the system certain components; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 778—
BY REPRESENTATIVES HUNTER, BAUDOIN, AND THOMPSON
AN ACT

To enact R.S. 9:315.26 and R.S. 32:708.1, relative to child support; to provide for the collection of past due child support; to authorize the filing of liens on motor vehicles owned by a party owing past due support; to provide procedures for the filing of judgments; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1178—
BY REPRESENTATIVES TOOMY, ANSARDI, ARNOLD, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CROWE, DAMICO, DARTEZ, DOERGE, DURAND, FARRAR, FAUCHEUX, FRITH, GALLOT, HARRIS, HEBERT, HILL, JOHNS, LAFLEUR, LAMBERT, MARTINY, ODINET, PINAC, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRICHE, TUCKER, WALKER, WALSWORTH, AND WHITE AND SENATORS AMEDEE, CHAISSON, DARDENNE, FONTENOT, B. GAUTREAU, HEITMEIER, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, AND ULLO

AN ACT

To amend and reenact R.S. 16:11(A)(1), relative to the annual salary of assistant district attorneys paid by the state; to provide for an increase in salary; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 1, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVES HUTTER AND TUCKER
A CONCURRENT RESOLUTION

To urge and request the Louisiana Recovery Authority to develop and prepare an Action Plan to use Community Development Block Grant funds to redeem, purchase, defease, or otherwise retire not less than fifty percent of the bonds of the Louisiana Citizens Property Insurance Corporation.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVES HUTTER AND TUCKER
A CONCURRENT RESOLUTION

To urge and request the Louisiana Recovery Authority to develop and prepare an Action Plan to use Community Development Block Grant funds to redeem, purchase, defease, or otherwise retire not less than fifty percent of the bonds of the Louisiana Citizens Property Insurance Corporation.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Finance.

**House Bills and Joint Resolutions
on Second Reading**

The following House Bills and Joint Resolutions were taken up and acted upon as follows:

HOUSE BILL NO. 126—

BY REPRESENTATIVES TOOMY AND MARTINY AND SENATORS JONES AND LENTINI

AN ACT

To enact R.S. 13:48, relative to the salary of judges of the supreme court, courts of appeal, district courts, parish courts, and city courts; to provide for an increase in the salary paid for by the state as recommended by the Judicial Compensation Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 300—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 11:710(E), relative to the employment of certain retirees of the Teachers' Retirement System of Louisiana; to provide for the employment of certain retirees who were employed by a Louisiana public postsecondary education institution subject to certain limitations; to provide for benefits; to provide for the forfeiture of employer and employee contributions; to provide for effectiveness; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 408—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 46:1606(B) and (D) and to enact R.S. 46:1606(F) and 1608(F), relative to councils on aging; to provide for the distribution of funds to parish councils on aging in the event of a disaster; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 624—

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 40:1501.6, relative to fire protection districts in St. Tammany Parish; to prohibit the levy and collection of certain ad valorem taxes by such districts in areas which have been annexed by the city of Covington; to provide for exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 659—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1004.1(A) and (B)(1), 1004.2, 1006(A) and (B)(2), and 1007(A) and (B) and to enact R.S. 6:1004(D) and 1006(C), relative to the Louisiana Check Cashing Law; to provide for change of control provisions; to provide for application and renewal fees; to provide for investigation of violations; to provide relative to application and reapplication for licenses; to provide for hearings for violators; to provide for fees and name and location changes; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 672—

BY REPRESENTATIVE CURTIS

AN ACT

To amend and reenact R.S. 11:788(B)(2)(a) and (3), relative to the Deferred Retirement Option Plan Account of the Teachers' Retirement System of Louisiana; to provide for the time period during which certain members may make a one-time option to redeposit amounts disbursed; to provide limitations on monies eligible for redeposit; to provide certain conditions for implementation; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

June 5, 2006

HOUSE BILL NO. 1018—
BY REPRESENTATIVE SCHNEIDER AND SENATOR B. GAUTREUX
AN ACT

To amend and reenact R.S. 11:2178(B)(1)(b), (C)(1), (K)(introductory paragraph) and (1), and (M), relative to Sheriffs' Pension and Relief Fund; to provide for the calculation of final average compensation; to provide with respect to the funding of and limitations on cost-of-living increases; to provide for a one-time adjustment in benefits for certain members subject to limitations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1108—
BY REPRESENTATIVE MARCHAND
AN ACT

To enact Chapter 13-G of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.91.1, and R.S. 36:4(B)(1)(r), relative to the Lower Ninth Ward Improvement Authority; to create the authority as a state agency within the office of the governor; to provide for the membership and the powers and duties of the authority; to provide relative to the records of the authority; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1188—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 45:844.43(1) and to enact R.S. 45:844.43(21) and (22) and 844.45(C), relative to the Local Government Fair Competition Act; to provide for definitions; to provide for certain exemptions from the requirements of the Local Government Fair Competition Act; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1314—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 22:191(5)(d) and (e), (14)(introductory paragraph), and (18)(b), 192(A)(5) and (B), 195, and 197(C)(1) and to enact R.S. 22:191(5)(f), 192(C), 197(D)(5), and 200.1, relative to viatical settlements; to provide with respect to definitions; to provide relative to revocation or denial of licensure as a viatical settlement provider, viatical settlement broker, or viatical settlement investment agent; to provide with respect to prohibited practices; to provide relative to fraud prevention and control; to provide for applicability; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 254—
BY REPRESENTATIVE CROWE
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to maximize the federal disproportionate share funding in order to meet the health care needs of individuals located in areas affected by Hurricanes Katrina and Rita which have been impacted by the closure of Charity Hospital in New Orleans.

On motion of Senator Smith, the resolution was read by title and

returned to the Calendar, subject to call.

HOUSE CONCURRENT RESOLUTION NO. 255—
BY REPRESENTATIVE ARNOLD
A CONCURRENT RESOLUTION

To urge and request the Crescent City Connection Division of the Department of Transportation and Development to request authorization from bond holders to provide free passage on the bridges and ferries it operates to disabled American veterans.

The resolution was read by title. Senator Heitmeier moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 32		

NAYS

Total - 0

ABSENT

Mr. President	Fields	Shepherd
Adley	Gautreaux N	
Boasso	McPherson	
Total - 7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 256—
BY REPRESENTATIVE JEFFERSON
A CONCURRENT RESOLUTION

To urge and request the Louisiana Recovery Authority to include in The Road Home Housing Program a mortgage assistance program for persons displaced by Hurricane Katrina or Rita.

The resolution was read by title. Senator Bajoie moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Marionneaux	
Dupre	Michot	
Total - 31		

NAYS

Total - 0

ABSENT

Mr. President	Fields	McPherson
Adley	Gautreaux N	Shepherd
Boasso	Malone	
Total - 8		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 262— BY REPRESENTATIVES WALSWORTH AND BALDONE A CONCURRENT RESOLUTION

To urge and request the Veterans Affairs Commission to develop a plan for an Iraq War Memorial and to report to the legislature regarding the proposed plan not later than December 31, 2006.

The resolution was read by title. Senator Kostelka moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Ellington	Michot	
Total - 32		

NAYS

Total - 0

ABSENT

Mr. President	Broome	McPherson
Adley	Fields	
Boasso	Gautreaux N	
Total - 7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 158— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:141(D), relative to motor vehicles; to provide for removal of vehicles from the roadway following certain accidents; to provide for the responsibility of the responding law enforcement officer to remove disabled vehicles from the roadway under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 158 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 32:141(D)" to "R.S. 32:61, 63(A), and 141(D), to enact R.S. 32:79(3), and to repeal R.S. 32:62(A)"

AMENDMENT NO. 2

On page 1, line 3, after "accidents" delete the remainder of the line, and delete lines 4 and 5, and insert:

"and for traffic incident management which emphasizes motor vehicle traffic flow; to provide for the authority of the Department of Transportation and Development to increase or lower certain speed limits; to provide for utilization of the shoulders of certain roadways; and to provide for related matters."

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert:

"Section 1. R.S. 32:61 and 63(A) are hereby amended and reenacted to read as follows:

§61. Maximum speed limit

A. No person shall operate a ~~any~~ **any** vehicle on any highway of this state in excess of ~~fifty-five~~ **the speed limit posted on the highway as determined by the Department of Transportation and Development pursuant to the authority provided for in Subsection B of this Section, R.S. 32:63(A), or any other provision of law, but in no event shall such speed limit exceed sixty-five** miles per hour, ~~unless a lower maximum speed is posted on the highway;~~ except as follows:

(1) No person shall operate a ~~any~~ **any** vehicle on any interstate or controlled access highway of this state in excess of ~~seventy~~ **the speed limit posted on the highway as determined by the Department of Transportation and Development pursuant to the authority provided for in Subsection B of this Section, R.S. 32:63(A), or any other provision of law, but in no event shall such speed limit exceed seventy-five** miles per hour.

(2) No person shall operate a ~~any~~ **any** vehicle on any multi-lane divided highway of this state which has partial or no control of access in excess of ~~sixty-five~~ **the speed limit posted on the highway as determined by the Department of Transportation and Development pursuant to the authority provided for in Subsection B of this Section, R.S. 32:63(A), or any other provision of law, but in no event shall such speed limit exceed seventy** miles per hour.

B. The Department of Transportation and Development shall develop criteria to determine which ~~speed limits shall be established for a highway or~~ **speed limits shall be established for a highway or** portions of a highway ~~warrant a speed limit lower than so long as they do not exceed the maximum~~ **warrant a speed limit lower than so long as they do not exceed the maximum** speed limits ~~speeds~~ established by this Section. The criteria shall be based on an engineering study which shall consider, but not necessarily be limited to, the design speed of the road, the road geometry, the use of land surrounding the road, and the accident history of the road.

* * *

§63. Establishing of ~~speed limits and~~ **speed limits and** speed zones

A. ~~Whenever~~ **Whenever** The department shall determine upon the basis of ~~an engineering and traffic investigation that any maximum investigations which~~ **an engineering and traffic investigation that any maximum investigations which** speed ~~set forth in this Chapter is greater or less than~~ **set forth in this Chapter is greater or less than** is reasonable or safe under the conditions found to exist upon any highway of this state, or any part thereof, ~~and~~ **and** the department ~~may shall~~ **shall** determine and declare a reasonable and safe maximum speed limit thereat ~~within the limits provided for in R.S. 32:61(A),~~ **within the limits provided for in R.S. 32:61(A),** which, when appropriate signs giving notice thereof are erected, shall be effective at all times or at such specific times as may be determined by the department.

* * *

Section 2. Any speed limits established by the Department of Transportation and Development which are lower than the maximum speeds provided by law prior to the effective date of this Act shall remain in effect unless and until changed as provided for in this Act.

Section 3. R.S. 32:62(A) is hereby repealed.

Section 4. The provisions of Section 1 and Section 3 of this Act

June 5, 2006

shall become effective on July 1, 2007."

AMENDMENT NO. 4

On page 1, line 7, change "Section 1." to "Section 5." and after "reenacted" delete the remainder of the line, and insert:

"and R.S. 32:79(3) is hereby enacted to read as follows: §79. Driving on roadway laned for traffic

Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply.

* * *

(3)(a) Beginning July 1, 2007, if the driver of a passenger car as defined in R.S. 32:1(46.2) finds that he is impeding the flow of traffic on a highway, he may drive on the improved shoulder of the highway until the traffic following has passed if he reduces the speed of the car to a safe speed and signals his intention to following vehicles.

(b) For purposes of this Paragraph, "improved shoulder" means the paved shoulder of a highway capable of temporarily accommodating a traveling passenger car safely.

* * *

AMENDMENT NO. 5

On page 1, line 15, change "shoulder" to "shoulder location"

AMENDMENT NO. 6

On page 2, delete lines 1 through 15, and insert:

(2)(a) Unless on-site medical treatment or transportation for those injured in an accident or the proper treatment of the remains of accident victims requires otherwise, the primary consideration for law enforcement officers upon arrival at the scene of an accident shall be the safe resumption of traffic flow to the greatest extent possible.

(b) Law enforcement officers may authorize vehicles to bypass accidents on the shoulder of a highway until normal traffic flow resumes if they determine it can be safely done.

(3) Beginning July 1, 2007, any entity required to provide written evidence of motor vehicle liability insurance pursuant to R.S. 32:863.1 shall also provide with such document a statement in a form approved by the office of motor vehicles of the Department of Public Safety and Corrections informing the insured of the provisions of this Paragraph requiring removal of the motor vehicle from the travel lane of the highway to a safe location after an accident.

* * *

Section 6.A. The Department of Transportation and Development shall propose rules and regulations to be adopted in accordance with the Administrative Procedure Act by March 1, 2007 that would implement policies and procedures facilitating clearance, investigation, and mitigation of traffic incidents, especially those which initially block travel lanes, and policies governing removal of accident victims based upon the following:

(1) The study, report, and recommendations issued by The National Cooperative Highway Research Program of the National Research Council's Transportation Research Board Division, titled NCHRP Synthesis 318: Safe and Quick Clearance of Traffic Incidents.

(2) The recommendations and procedures provided in the Incident Management Workshop: Relieving Traffic Congestion through Incident Management, U.S. Department of Transportation, Federal Highway Administration, Demonstration Project No. 86.

(3) Such other relevant studies, reports, and recommendations as determined by the department.

B. At the same time the rules and regulations required by Subsection A of this Section are proposed, the department shall issue a report and recommendations concerning which laws need to be amended or enacted to facilitate safe and quick accident clearance, including quick clearance legislation and hold harmless laws."

AMENDMENT NO. 7

On page 2, line 16, change "Section 2." to "Section 7."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed

and passed to a third reading.

SENATE BILL NO. 321—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1310.3 and R.S. 40:2203.1(A) and to enact R.S. 23:1034.3, relative to workers' compensation; to provide with respect to medical service agreements; to provide for rules governing the use and assignability of medical service agreements; to provide for notice requirements; to provide for penalties; to provide for jurisdiction over medical service agreements; and to provide for related matters.

Reported by substitute by the Committee on Labor and Industrial Relations. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. —(Substitute of Senate Bill No. 321 by Senator Nevers)

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1201(E) and (F), 1203(B) and 1310.3(E) and to enact R.S. 23:1034.3, relative to workers' compensation; to provide with respect to medical service agreements; to provide for medical provider reimbursement agreements; to provide definitions; to provide for a compliance date; to provide for required provisions of a valid agreement; to provide for notice of changes; to provide for penalties; to provide for jurisdiction of disputes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1201(E) and (F), 1203(B) and 1310.3(E) are hereby amended and reenacted and R.S. 23:1034.3 is hereby enacted to read as follows:

§1034.3. Workers' Compensation Medical Provider Reimbursement Agreements

A. For purposes of this Section, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(1) "Agreement" shall refer to a Workers' Compensation Medical Provider Reimbursement Agreement which shall mean an agreement or contract, including a preferred provider organization agreement, providing payment to a medical provider for services rendered within the state of Louisiana to injured workers, as required under this Chapter.

(2) "Insurer" shall mean any entity authorized by the Department of Insurance under the provisions of Title 22 of the Louisiana Revised Statutes of 1950.

(3) "Self-insured group" shall mean any entity authorized by the Department of Insurance by the issuance of a certificate of authority pursuant to Subpart J, of Part I of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950 or Subpart B of Part VII of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950.

(4) "Self-insured employer" shall mean any employer authorized by the director of the office of workers' compensation administration by the issuance of a certificate of authority pursuant to R.S. 23:1168(A)(3) and 1168.1.

(5) "Third-party administrator" shall mean any individual, partnership, corporation, or other person, authorized to provide claims administration services under the provisions of Title 22 of the Louisiana Revised Statutes of 1950.

B. Except as otherwise provided in this Subsection, the requirements of this Section shall apply to all agreements that are applicable to medical services rendered within the state of Louisiana to injured workers as required under this Chapter. Except as provided in Paragraph (D)(1), the provisions of this Section shall not apply to a payor as defined in R.S. 23:1142 or a third party administrator providing benefits through an exclusive workers' compensation network or direct workers' compensation provider agreements.

C. Any agreement which does not comply with the provisions of this Section by January 1, 2007 shall be invalid and unenforceable. Any medical treatment performed pursuant to such an invalid or unenforceable agreement shall be paid

pursuant to the medical reimbursement schedule or the provider's actual charge, whichever is less. Any agreement that complies with the provisions of this Section prior to January 1, 2007 shall be subject to the provisions of this Section.

D. (1) Agreements, including exclusive workers' compensation networks or a direct workers' compensation provider agreement, shall not be assignable to nor leased to other preferred provider organizations.

(2) The agreement shall be clearly identified as a "Workers' Compensation Medical Provider Reimbursement Agreement."

(3) The agreement shall be separate from any other contract relating to medical services and identified in the contract as establishing a "Workers' Compensation Medical Provider Reimbursement Agreement" for the treatment of injured workers covered under the "Louisiana Workers' Compensation Act."

(4) Participation in the agreement shall not be a requirement for participation in any other medical service provider agreement or preferred provider organization agreement.

(5) The agreement shall be signed by the provider, or an authorized agent, if the provider is a corporation, or a member of an association or other medical group.

(6) The agreement shall allow either party to terminate the agreement by giving thirty day's written notice to the other party; whereupon, the agreement shall terminate thirty days after receipt by the other party of the written notice of termination or sooner if provided for in the agreement. The date medical services are performed shall determine the fee to be paid.

(7)(a) Failure to comply with the provisions of this Subsection shall result in the assessment of a penalty against the preferred provider organization in an amount up to the greater of twelve percent of the discount applied any medical benefits pursuant to the agreement, or fifty dollars per calendar day for each day in which any such discount remain unpaid, together with reasonable attorney fees for each disputed claim; however, the fifty dollars per calendar day penalty shall not exceed a maximum of two thousand dollars in the aggregate for any claim. The maximum amount of penalties which may be imposed at a hearing on the merits regardless of the number of penalties which might be imposed under this Subsection is eight thousand dollars or sixteen thousand dollars if the court determines that the actions were arbitrary and capricious.

(b) The penalties and attorney fees provided in this Paragraph shall constitute the exclusive penalties and attorney fees to be awarded by any court against a workers' compensation preferred provider organization for violation of this Subsection.

E.(1) When the right to participate in the benefits of more than one agreement has been transferred or assigned to a pavor or third party administrator, prior to services being rendered by a health care provider such pavor or third party administrator shall select the order or priority in which such agreements shall be applied with respect to a particular pavor.

(2) The explanation of review and/or benefits shall identify the pavor or the third party administrator, the employer, if known, the claims administrator and the network being accessed to make payments to the health care provider and shall include a telephone number, electronic mail address and physical address.

(3) When a health care provider contacts a pavor or third party administrator for authorization to provide treatment and such health care provider requests, the pavor or third party administrator shall advise the health care provider of the order of priority selected for the pavor pursuant to Paragraph (1) of this Subsection.

(4) The health care provider may request termination of the agreement within sixty days of receipt of the change in pavor notice and be paid pursuant to the medical reimbursement schedule for the pavor or the third party administrator to whom they object.

(5) If the health care provider fails to request termination within sixty days, they may only terminate the agreement pursuant to Paragraph (6) of Subsection (D) of this Section.

(6) If the explanation of review and/or benefits does not

comply with this Subsection, the health care provider may request reconsideration of the payment within sixty days of receipt of the explanation of review and/or benefits and the pavor or third party administrator shall make payment pursuant to the medical reimbursement schedule within sixty days of the request for reconsideration.

F. Disputes between the medical provider and any party utilizing the agreement under this Section for violation of any provision of this Section or for non-compliance with the terms of any agreement, shall be resolved as provided by R.S. 23:1310.3(E).

* * *

§1201. Time and place of payment; failure to pay timely; failure to authorize; **failure to reimburse medical providers**; penalties and attorney fees

* * *

E. Medical benefits payable under this Chapter shall be paid within sixty days after the employer or insurer receives written notice thereof. **Penalties or attorney fees may not be awarded to a provider for underpayment of a bill for services unless the provider has made a written request for reconsideration within one year of receipt of payment to the pavor or the pavors claims administrator and the pavor or its claims administrator has failed to correct any errors in payment within sixty days of receipt of the request for reconsideration.**

F. Failure to provide payment in accordance with this Section, **failure to properly reimburse medical providers pursuant to R.S. 23:1034.2**, or failure to consent to the employee's request to select a treating physician or change physicians when such consent is required by R.S. 23:1121 shall result in the assessment of a penalty in an amount up to the greater of twelve percent of any unpaid compensation or medical benefits, or fifty dollars per calendar day for each day in which any and all compensation or medical benefits remain unpaid or such consent is withheld, together with reasonable attorney fees for each disputed claim; however, the fifty dollars per calendar day penalty shall not exceed a maximum of two thousand dollars in the aggregate for any claim. The maximum amount of penalties which may be imposed at a hearing on the merits regardless of the number of penalties which might be imposed under this Section is eight thousand dollars. An award of penalties and attorney fees at any hearing on the merits shall be res judicata as to any and all claims for which penalties may be imposed under this Section which precedes the date of the hearing. Penalties shall be assessed in the following manner:

(1) Such penalty and attorney fees shall be assessed against either the employer or the insurer, depending upon fault. No workers' compensation insurance policy shall provide that these sums shall be paid by the insurer if the workers' compensation judge determines that the penalty and attorney fees are to be paid by the employer rather than the insurer.

(2) This Subsection shall not apply if the claim is reasonably controverted or if such nonpayment results from conditions over which the employer or insurer had no control.

(3) Except as provided in Paragraph (4) of this Subsection, any additional compensation paid by the employer or insurer pursuant to this Section shall be paid directly to the employee.

(4) In the event that the health care provider prevails on a claim for payment of his fee, penalties as provided in this Section and reasonable attorney fees based upon actual hours worked may be awarded and paid directly to the health care provider. This Subsection shall not be construed to provide for recovery of more than one penalty or attorney fee.

(5) No amount paid as a penalty or attorney fee under this Subsection shall be included in any formula utilized to establish premium rates for workers' compensation insurance.

* * *

§1203. Duty to furnish medical and vocational rehabilitation expenses; prosthetic devices; other expenses

* * *

B. The obligation of the employer to furnish such care, services, treatment, drugs, and supplies, whether in state or out of state, is limited to the reimbursement determined to be the mean of the usual and customary charges for such care, services, treatment, drugs, and supplies, as determined under the reimbursement schedule annually

published pursuant to R.S. 23:1034.2 or, the actual charge made for the service, or the reimbursement pursuant to any workers' compensation medical provider reimbursement agreements pursuant to R.S. 23:1034.3, whichever is less. Any out-of-state provider is also to be subject to the procedures established under the office of workers' compensation administration utilization review rules.

§1310.3. Initiation of claims; mediation; procedure

E. Except as otherwise provided by R.S. 23:1101(B) and 1378(E), the workers' compensation judge shall be vested with original, exclusive jurisdiction over all claims or disputes arising out of this Chapter, including but not limited to workers' compensation insurance coverage disputes, group self-insurance indemnity contract disputes, workers' compensation medical provider reimbursement agreement disputes, employer demands for recovery for overpayment of benefits, the determination and recognition of employer credits as provided for in this Chapter, and cross-claims between employers or workers' compensation insurers or self-insurance group funds for indemnification or contribution, concursus proceedings pursuant to Louisiana Code of Civil Procedure Articles 4651 et seq., concerning entitlement to workers' compensation benefits, payment for medical treatment, or attorney fees arising out of an injury subject to this Chapter.

Section 2. This Act shall become effective upon signature by the governor, or if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Nevers, the committee substitute bill was adopted and becomes Senate Bill No. 755 by Senator Nevers, substitute for Senate Bill No. 321 by Senator Nevers.

SENATE BILL NO. 755— (Substitute of Senate Bill No. 321 by Senator Nevers)

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1201(E) and (F), 1203(B) and 1310.3(E) and to enact R.S. 23:1034.3, relative to workers' compensation; to provide with respect to medical service agreements; to provide for medical provider reimbursement agreements; to provide definitions; to provide for a compliance date; to provide for required provisions of a valid agreement; to provide for notice of changes; to provide for penalties; to provide for jurisdiction of disputes; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 676—

BY SENATOR HINES AND REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 30:2000.2(1), relative to the Atchafalaya Basin Program; to provide certain definitions; to provide relative to the definition of "Atchafalaya Basin"; to extend the northern statutory boundary of the Atchafalaya Basin; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 676 by Senator Hines

AMENDMENT NO. 1

On page 1, delete line 4, and insert "Basin"; and to"

AMENDMENT NO. 2

On page 1, line 13, delete "U.S. Highway 190 Simmesport" and insert "U.S. Highway 190"

AMENDMENT NO. 3

On page 1, at the end of line 14, insert

"However, the definition of the Atchafalaya Basin relative to the expenditure of capital outlay funds appropriated to the Atchafalaya Basin Program shall include those portions of the parishes of Avovelles, St. Landry, St. Martin, Iberia, St. Mary, Assumption, Iberville, and Pointe Coupee, that are within and directly adjacent to the east and west guide levees. Projects consistent with the mission of the Atchafalaya Basin Program and approved by the Atchafalaya Basin Research and Promotion Board that are situated within the geographic boundaries of the above parishes may be funded with capital outlay funds appropriated to the Atchafalaya Basin Program."

On motion of Senator Malone, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 240—

BY REPRESENTATIVE GREENE AND SENATOR BROOME
AN ACT

To enact R.S. 32:300.3, relative to the safe operation of motor vehicles; to provide relative to traffic rules for funeral processions; to provide for the definition of a "funeral procession"; to require the uniform identification of motor vehicles participating in funeral processions; to provide penalties for certain violations; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 466—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2740.64, relative to the city of Franklin; to recognize the Franklin Downtown Development District of the city of Franklin as a downtown development district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 467—

BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2740.64, relative to economic development in Ouachita Parish; to create and provide for the Bawcomville Economic Development District; to provide relative to the powers, duties boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 625—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 33:4574.15 and to repeal Act No. 20 of the 1975 Regular Session of the Legislature of Louisiana, relative to tourism in western Louisiana; to change the name of the West Louisiana Tourist Development Region to Five Parishes West; to change the composition of the region; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 712—
BY REPRESENTATIVES WALSWORTH AND KATZ
AN ACT

To amend and reenact R.S. 33:2866.1(B), relative to sale of property adjudicated to parishes or municipalities; to provide with respect to the realtor's commission; to authorize the governing authority of certain parishes to establish a pilot program to determine the effectiveness of negotiating the amount of the fee or commission; to authorize such negotiation; to provide time limitations and to provide for review of such program; to provide a maximum amount of the fee or commission that is authorized to be paid; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 775—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1235, relative to tutorship; to provide for the direct payment to children who are eighteen years or older; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 783—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:6(30), relative to the importation and ownership of certain animals; to require the Wildlife and Fisheries Commission to control the importation and ownership of non-indigenous constrictors; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 783 by Representative Triche

AMENDMENT NO. 1
On page 1, line 4, after "constrictors;" insert "to provide terms, conditions, requirements, and exceptions;"

AMENDMENT NO. 2
On page 1, line 16, after "Center" insert ", Chimp Haven, Inc.."

AMENDMENT NO. 3
On page 1, line 18, after "rules" delete "shall" and insert "shall may"

AMENDMENT NO. 4
On page 1, at the end of line 19, insert "Rules and regulations concerning non-indigenous constrictor snakes, or venomous snakes"

shall be developed with consideration for the recommendations of the Reptile and Amphibian Task Force."

AMENDMENT NO. 5
On page 2, line 2, after "R.S. 56:32;" insert "The provisions of this Paragraph shall not apply to kingsnakes (*Lampropeltis*)."

On motion of Senator Malone, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 813—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 33:3074(D)(5), relative to the city of Central; to provide for the termination of provisions for the Central Transition District and the levy of a sales tax by the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 814—
BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 33:9097.3, relative to the Wedgewood Civic Association District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 890—
BY REPRESENTATIVE BAYLOR
AN ACT

To amend and reenact R.S. 32:351(A), relative to equipment on motor vehicles; to provide for the use of horns on motor vehicles; to provide relative to certain exemptions for mobility-impaired persons; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 939—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2531.1, relative to the municipal fire and police civil service; to provide relative to the continuation of applicability of certain provisions relative to the municipal fire and police civil service; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 971—
BY REPRESENTATIVES QUEZAIRE, DANIEL, DOVE, DOWNS, ERDEY, M. GUILLORY, KATZ, KENNARD, SMILEY, AND TUCKER AND SENATOR ELLINGTON
AN ACT

To enact R.S. 32:1504(D), relative to regulation of motor carriers; to authorize the secretary of the Department of Public Safety and Corrections to enter into certain agreements; to provide for certain limitations; and to provide for related matters.

June 5, 2006

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 971 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 2, delete "To enact R.S. 32:1504(D)," and insert: "To amend and reenact R.S. 45:163.1(A)(1)(a) and to enact Chapter 18 of Title 32 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 32:1801,"

AMENDMENT NO. 2

On page 1, line 2, after "authorize" insert "the Public Service Commission and"

AMENDMENT NO. 3

On page 1, delete lines 6 through 8, and insert: "Section 1. Chapter 18 of Title 32 of the Louisiana Revised Statutes of 1950, composed of R.S. 32:1801, shall be enacted to read as follows:

§1801. Administration of the Unified Carrier Registration Agreement and Plan; fund

A. Notwithstanding any other law to the contrary, until December 31, 2007 the Public Service Commission shall be the state agency which shall administer the Unified Carrier Registration Agreement in accordance with the rules and regulations promulgated by the board of directors of the Unified Carrier Registration Plan, all as provided for in the Unified Carrier Registration Act of 2005, 49 U.S.C.A. §14504(a). On January 1, 2008, the Department of Public Safety and Corrections shall be such state agency. Such department and commission shall be identified to the Secretary of the United States Department of Transportation as such state agent which has the legal authority, resources, and qualified personnel necessary to administer such Act and such rules and regulations as provided for in 49 U.S.C.A. §14504a(e)(1)(A) for such time periods.

B.(1) All fees required by such Agreement shall be paid to the Public Service Commission until January 1, 2008 and to the Department of Public Safety and Corrections thereafter, and after complying with the provisions of the Unified Carrier Registration Agreement, all revenue derived by the state from such Agreement shall be received by the commission or department and shall be deposited upon receipt into the state treasury.

(2)(a) Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable during a fiscal year as provided for in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall each fiscal year deposit into a special fund hereby created in the state treasury, to be known as the Unified Carrier Registration Agreement Fund, an amount equal to the total amount received by the treasurer pursuant to Paragraph (1) of this Subsection.

(b) All unexpended and unencumbered money in the fund at the end of a fiscal year shall remain in the fund and shall be available for use in the next fiscal year as provided for in this Subsection. Money in the fund shall be invested as provided by law, and any interest earned on such investments shall be credited to the fund after compliance with the provisions of Article VII, Section 9(B) of the Constitution of Louisiana.

(3) The money in the fund shall be used each fiscal year solely and exclusively for the following purposes:

(a) Until January 1, 2008, by the Public Service Commission to maintain the same areas of responsibility as it holds under the Single State Registration Program (SSRS) upon the effective date of this Section as authorized by Chapter 4, of Title 45 of the Louisiana Revised Statutes of 1950 and the orders of the Public Service Commission.

(b) On and after January 1, 2008, by the Department of Public Safety and Corrections for the purpose of safety programs for motor carriers subject to the Unified Carrier Registration Act of 2005 and for the enforcement and administration of the Plan and Agreement

provided for in such Act."

AMENDMENT NO. 4

On page 1, line 9, at the beginning of the line change "D." to "C." and after "Corrections" insert "and the Public Service Commission"

AMENDMENT NO. 5

On page 1, line 12, after "secretary" insert "and the commission"

AMENDMENT NO. 6

On page 1, after line 14, insert: "Section 2. R.S. 45:163.1(A)(1)(a) is hereby amended and reenacted to read as follows:

§163.1. Registration and supervision of interstate carriers A.(1)(a) Except as provided for in R.S. 45:1801, for the purposes of this Section, motor carriers shall include: common carriers, contract carriers, and private carriers.

Section 3. A. The Legislature of Louisiana hereby expresses its intention that the transition proposed by the implementation of the Unified Carrier Registration Agreement by the Department of Public Safety and Corrections not disrupt the lives of and cause economic harm to valued and experienced employees of the Public Service Commission now employed in the enforcement and administration of matters which will be administered and enforced by the Department of Public Safety and Corrections pursuant to the terms of this Act. The legislature hereby finds that such employees are a valuable resource which should not be wasted.

B. Therefore, after the implementation of the transfer of authority provided for in this Act, the Public Service Commission and the Department of Public Safety shall utilize such veteran employees as follows:

(1) The Public Service Commission shall use such employees to provide more attention to the governance, regulation, and enforcement of laws relating to the control of motor carriers which transport household goods, passengers, or waste, and of wreckers and towing services, under the jurisdiction of the commission as provided for in R.S. 45:163 and 180.1.

(2) The Public Service Commission, the Department of Public Safety and Corrections, and the Department of Civil Service shall make an agreement providing for the transfer of a sufficient number of such veteran employees to the Department of Public Safety and Corrections to administer or assist in the administration of the Unified Carrier Registration Agreement by such department.

C. In order to implement the policy provided for in this Section, no employee of the Public Service Commission employed on June 1, 2006, in the administration and enforcement of matters which will be administered and enforced by the Department of Public Safety and Corrections pursuant to the terms of this Act shall, for a transitional period of three years from the effective date of the implementation of the Agreement, suffer a demotion, suspension, reduction in pay, or a termination because of the implementation of this Act and that Agreement; provided that the commission or the department may demote, suspend, reduce in pay, or terminate any employee for disciplinary purposes in accordance with the rules of the State Civil Service Commission. Any savings in salary and related benefits for such time period shall be by attrition."

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 994— BY REPRESENTATIVE CAZAYOUX AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(26)(c) of the Constitution of 1921, continued as a statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2496(C), and to amend and reenact R.S. 33:2556(3), relative to temporary appointments in the fire and police civil service for municipalities, parishes, and fire protection districts; to increase the duration of emergency appointments; to provide for the duration of emergency

appointments after a gubernatorially declared state of emergency; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1037—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact Paragraph 22 of Article XIV, Section 15.1 of the Louisiana Constitution of 1921, made statutory by Article X, Section 18 of the Louisiana Constitution of 1974, and R.S. 33:2492 and 2552, relative to fire and police civil service boards; to provide relative to promotional and competitive employment tests provided by such boards; to provide relative to the administration of such tests by the state examiner; to provide relative to the notification of test scores; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1105—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 49:214.4(B)(3), relative to coastal restoration; to provide for a coastal forest preservation, conservation, and restoration program; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 1105 by Representative Daniel

AMENDMENT NO. 1
On page 1, delete line 12 and insert in lieu thereof "(3) Establish a"

AMENDMENT NO. 2
On page 2, delete lines 4 and 5, and insert
"(c) Submit annually to the Senate Committee on Natural Resources, the House Committee on Natural Resources, and the Coastal Protection and Restoration Authority, an estimate of the cost of the inventory, acquisition."

AMENDMENT NO. 3
On page 2, delete lines 8 through 10

On motion of Senator Malone, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1144—
BY REPRESENTATIVE BOWLER
AN ACT

To repeal R.S. 23:1221(4)(s)(v), relative to workers' compensation; to repeal the applicable dates for catastrophic injury claims; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1168—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2002(A)(3) and 2218.2(A)(3), relative to certain firemen and law enforcement officers; to authorize enhancement of the first-year salary of certain firemen and law enforcement officers; to require written disclosure of the temporary nature of such enhancement; to provide relative to reducing the salary of any fireman or law enforcement officer after a year; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1168 by Representative Jack Smith

AMENDMENT NO. 1
On page 1, line 2 after "To" and before "enact" insert "amend and reenact R.S. 33:2218.2(B)(2) and to"

AMENDMENT NO. 2
On page 1, line 8 after "Section 1." and before "R.S." insert "R.S.33:2218.2(B)(2) is hereby amended and reenacted and"

AMENDMENT NO. 3
On page 2, line 29 after "reducing" and before "of any" delete "the salary" and insert "the portion of the salary that represents the state supplemental pay"

AMENDMENT NO. 4
On page 3 between lines 4 and 5 insert the following:

"B. * * *
(2) In computing the period of service required for the payment of extra compensation to a commissioned deputy sheriff pursuant to the provisions of R.S. 33:2218.8, service as a full-time commissioned deputy sheriff shall include prior service as a full-time police officer receiving extra compensation under the provisions of Subsection A, shall also include prior service as a full-time post-certified enforcement agent of the Department of Wildlife and Fisheries, and shall include prior service of retired state police officers who received extra compensation under the provisions of R.S. 40:1457.
* * *

On motion of Senator Fields, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1231—
BY REPRESENTATIVES WALKER, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BRUCE, BURNS, R. CARTER, DAMICO, DANIEL, DARTEZ, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, HUTTER, KATZ, KENNEY, LABRUZZO, LANCASTER, MCDONALD, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, AND WALSWORTH
AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide that members of the Louisiana National Guard not currently on active duty shall be eligible for a resident Louisiana National Guard license; to provide for residency requirements; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

June 5, 2006

HOUSE BILL NO. 1281—
BY REPRESENTATIVE DORSEY
AN ACT

To enact R.S. 33:9038.1, relative to tax increment financing; to specify those taxes which may be levied and the increments of which may be pledged and dedicated in tax increment financing; to provide relative to the effect of the invalidity of any tax or tax increment on other taxes or tax increments; to provide for legislative intent; to provide for redesignation of certain statutes by the Louisiana State Law Institute; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Cravins, pursuant to the previous notice given, the vote by which the following bill failed to pass on Thursday, June 1, 2006, was reconsidered.

SENATE BILL NO. 106—
BY SENATOR CRAVINS
AN ACT

To enact Part III of Chapter 8 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:861 through 861.21, and R.S. 36:4(X), relative to public employment; to enact the Public Employee Partnership Act; to establish the Public Employees Labor Relations Board; to provide for the membership, powers, and duties of the board; and to provide for related matters.

On motion of Senator Cravins, the bill was read by title and returned to the Calendar, subject to call.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 645—
BY SENATOR MOUNT AND REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:1, 474, 477(introductory paragraph), 691(A), 759, 842(A), 846(A)(introductory paragraph), and 901, R.S. 18:402(D), and R.S. 44:71; to enact R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 714.1, 714.2, 751.1, 751.2, 751.3, 751.4, 841.3, 983, 996.62 through 996.64, and Chapter 2-A of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:181 through 185; and to repeal R.S. 9:2745, R.S. 13:471, 1001 through 1147, 1271 through 1305, 1312, 1335 through 1347, and 1381.1 through 1400, R.S. 18:514(B), and Part III of Chapter 5 of Title 35 of the Louisiana Revised Statutes of 1950, comprised of R.S. 35:321 through 338, and Chapter 3 of Title 44 of the Louisiana Revised Statutes of 1950, comprised of R.S. 44:201 through 268, relative to the reorganization and consolidation of courts, offices, and officers of the judicial system in and for certain parishes; to provide relative to the register of conveyances and recordation for certain parishes; to provide, delineate, and otherwise designate the powers, authority, duties, functions, compensation, fees, and related matters concerning the civil and criminal district courts, clerks of the civil and criminal courts, the office and custodian of notarial records, the office of the register of conveyances, the office of the recorder of mortgages, and other judicial officers and officials for certain parishes, to create the Forty-First Judicial District, its subsequent courts, magistrate, and commissioners, to create the Consolidated Expense Fund for the Forty-First Judicial District and the Consolidated Expense Fund Board; to provide for the consolidation of certain offices and judicial expense funds; to provide for the election of a single clerk of court for certain parishes commencing with the next

election for parochial and municipal officers in the parishes; to provide for effective dates; to abolish the office of the register of conveyances, the office of the recorder of mortgages, and the office and custodian of notarial records; to provide transitional provisions; to provide for the reduction by attrition of judges upon retirement pursuant to recommendations of the Judicial Council; to request the Judicial Council to review and make recommendations on the optimum number of district court judges in certain parishes based on certain data; to request the Louisiana State Law Institute to change statutory references including the renumbering of provisions consistent with the provisions of this Act; to provide for an effective date; to provide for a referendum in Orleans Parish; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and returned to the Calendar, subject to call.

**Senate Concurrent Resolutions
Returned from the House of Representatives
with Amendments**

The following Senate Concurrent Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION

To nominate a portion of Drake's Creek in Vernon Parish for inclusion in the Louisiana Natural and Scenic Rivers System.

On motion of Senator Smith, the resolution was read by title and returned to the Calendar, subject to call.

**Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 33—
BY SENATORS NEVERS, ELLINGTON, B. GAUTREAU, N. GAUTREAU, MOUNT, ROMERO AND SCHEDLER AND REPRESENTATIVES ALARIO, BALDONE, BARROW, BAUDOIN, BEARD, BOWLER, BRUCE, BURNS, CHANDLER, CRANE, CRAVINS, CROWE, DARTEZ, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HOPKINS, HUTTER, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, M. POWELL, T. POWELL, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SMILEY, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WALSWORTH, WHITE AND WOOTON
AN ACT

To amend and reenact R.S. 14:87, to enact R.S. 40:1299.30 and to repeal R.S. 40:1299.31 through R.S. 40:1299.35.18, relative to abortion; to prohibit abortion of a human being, except when necessary to save the life of the mother; to provide for criminal consequences for violations; to provide for the act to only become effective upon the occurrence of certain events; to provide for severability; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 33 by Senator Nevers

AMENDMENT NO. 1

On page 1, delete line 2 and in lieu thereof, insert the following:
 "To amend and reenact R.S. 14:87 and to enact R.S. 40:1299.30,"

AMENDMENT NO. 2

On page 1, line 3, delete "through R.S. 40.1299.35.18,"

AMENDMENT NO. 3

On page 1, delete line 11, in its entirety and insert "**The provisions of this Act shall**"

AMENDMENT NO. 4

On page 2, delete lines 3 through 9 in their entirety and in lieu thereof insert the following:

"B. The provisions of this Act shall be effective relative to the appropriation of Medicaid funds, to the extent consistent with any executive order by the President of the United States, federal statute, appropriation rider, or federal regulation that sets forth the limited circumstances in which states must fund abortion to remain eligible to receive federal Medicaid funds pursuant to 42 U.S.C. 1396, et. seq."

AMENDMENT NO. 5

On page 2, line 25, after "**death**" and before "**shall**" delete "**of a pregnant mother**" and insert a comma "," and insert "**permanent impairment of the function of a life sustaining organ or organs, or to prevent a substantial risk of death of a pregnant woman**"

AMENDMENT NO. 6

On page 3, line 11, change "**ages**" to "**stages**"

AMENDMENT NO. 7

On page 3, line 14, change "**ages**" to "**stages**"

AMENDMENT NO. 8

On page 3, delete lines 18 through 23 in their entirety and on lines 24, change "**K.**" to "**J.**"

AMENDMENT NO. 9

On page 3, delete lines 27 through 29 in their entirety and in lieu thereof insert the following:

§87. Abortion

A.(1) Abortion is the performance of any of the following acts, with the specific intent of terminating a pregnancy:"

AMENDMENT NO. 10

On page 4, delete lines 1 through 11 in their entirety and in lieu thereof insert the following:

"(a) Administering or prescribing any drug, potion, medicine or any other substance to a female; or

(b) Using any instrument or external force whatsoever on a female.

(2) This Section shall not apply to the female who has an abortion.

B. It shall not be unlawful for a physician to perform any of the acts described in Subsection A of this Section if performed under the following circumstances:

(1) The physician terminates the pregnancy in order to preserve the life or health of the unborn child or to remove a stillborn child.

(2) The physician terminates a pregnancy for the express purpose of saving the life, preventing the permanent impairment of a life sustaining organ or organs, or to prevent a substantial risk of death of the mother."

AMENDMENT NO. 11

On page 5, delete lines 17 and 18 in their entirety and in lieu thereof insert the following:

"D.C. As used in this Section, the following words and phrases are defined as follows:"

AMENDMENT NO. 12

On page 5, delete lines 23 through 26 in their entirety and in lieu

thereof insert the following:

"(2)(1) "Physician" means any person licensed to practice medicine in this state.

(3)-(2) "Unborn child" means the unborn offspring of human beings from the moment of conception until birth."

AMENDMENT NO. 13

On page 5, delete lines 28 and 29 in their entirety and in lieu thereof insert the following:

"E-D.(1) Whoever commits the crime of abortion shall be imprisoned at hard labor for not less than one nor more than ten years and shall be fined not less than ten"

AMENDMENT NO. 14

On page 6, delete lines 1 through 3 in their entirety and in lieu thereof insert the following:

"thousand dollars nor more than one hundred thousand dollars.

(2) This penalty shall not apply to the female who has an abortion."

AMENDMENT NO. 15

On page 6, line 4, change "Section 4." to "Section 3."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 33 by Senator Nevers

AMENDMENT NO. 1

In House Committee Amendment No. 1, proposed by the House Committee on Administration of Criminal Justice, on line 2, change "On page 1, delete" to "On page 1, after A., delete"

AMENDMENT NO. 2

In House Committee Amendment No. 2, proposed by the House Committee on Administration of Criminal Justice, on line 8, change "**States**" to "**states**"

AMENDMENT NO. 3

In House Committee Amendment No. 6, proposed by the House Committee on Administration of Criminal Justice, on line 21, change "delete lines 19 through 23" to "delete lines 18 through 23"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 33 by Senator Nevers

AMENDMENT NO. 1

Delete Amendment No. 5 in the set of House Committee Amendments proposed by the Administration of Criminal Justice Committee and adopted by the House on May 23, 2006.

AMENDMENT NO. 2

On page 1, line 4, after "mother;" and before the semicolon ";" insert "and when necessary to prevent substantial risk of death or permanent impairment under certain circumstances;"

AMENDMENT NO. 3

On page 2, delete lines 24 and 25 in their entirety

AMENDMENT NO. 4

On page 2, line 26, delete "**Subsection C of this Section.**" and insert in lieu thereof the following:

"F. It shall not be a violation of Subsection C of this Section for a licensed physician to perform a medical procedure necessary in reasonable medical judgment to prevent the death or substantial risk of death due to a physical condition, or to prevent the serious, permanent impairment of a life-sustaining organ of a pregnant woman."

AMENDMENT NO. 5

On page 2, at the end of line 28, change "**conventional**" to

June 5, 2006

"reasonable"

AMENDMENT NO. 6

On page 4, after line 11, insert the following:

"(3) The physician terminates a pregnancy by performing a medical procedure necessary in reasonable medical judgment to prevent the death or substantial risk of death due to a physical condition, or to prevent the serious, permanent impairment of a life-sustaining organ of a pregnant woman."

AMENDMENT NO. 7

On page 2, line 24, of House Committee Amendment No. 12 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 23, 2006, change "conception" to "fertilization"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 33 by Senator Nevers

AMENDMENT NO. 1

In House Floor Amendment No. 1 proposed by the Legislative Bureau and adopted by the House on May 22, 2006, on page 1, line 2, after "No." change "1" to "3"

AMENDMENT NO. 2

In House Floor Amendment No. 1 proposed by the Legislative Bureau and adopted by the House on May 22, 2006, on page 1, line 3, after "on line" change "2" to "7"

AMENDMENT NO. 3

In House Floor Amendment No. 2 proposed by the Legislative Bureau and adopted by the House on May 22, 2006, on page 1, line 6, after "No." change "2" to "4"

AMENDMENT NO. 4

In House Floor Amendment No. 2 proposed by the Legislative Bureau and adopted by the House on May 22, 2006, on page 1, line 7, after "on line" change "8" to "14"

AMENDMENT NO. 5

Delete House Floor Amendment No. 3 proposed by the Legislative Bureau and adopted by the House on May 22, 2006.

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Amedee, Ellington, Mount; Boasso, Fontenot, Murray; Broome, Gautreaux B, Nevers; Cain, Heitmeier, Quinn; Cheek, Hollis, Romero; Cravins, Jones, Schedler; Dardenne, Kostelka, Smith; Duplessis, Malone, Theunissen; Dupre, Michot, Ullo

Total - 27

NAYS

Total - 0

ABSENT

Table with 3 columns: Mr. President, Chaisson, Lentini; Adley, Fields, Marionneaux; Bajoie, Gautreaux N, McPherson; Barham, Jackson, Shepherd; Total - 12

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 216— BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 40:1379.1(F), (G), (H), (I), (J), (K), (L), and (M) and to enact R.S. 40:1379.1(N), relative to powers and duties of the superintendent of the state police; to provide for issuance of special officer commission to commissioned law enforcement officer responding pursuant to a request for assistance under the Southern Regional Homeland Security and Emergency Preparedness Management Assistance Compact, during a declared state of emergency or disaster; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 216 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 3, change "superintendent" to "deputy secretary of the Department of Public Safety and Corrections, Public Safety Services, office"

AMENDMENT NO. 2

On page 1, at the beginning of line 15, change "superintendent" to "deputy secretary of the Department of Public Safety and Corrections, Public Safety Services, office"

AMENDMENT NO. 3

On page 2, line 2, change "superintendent" to "deputy secretary"

Senator Jackson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Amedee, Ellington, Michot; Bajoie, Fontenot, Mount; Boasso, Gautreaux B, Murray; Broome, Heitmeier, Nevers; Cain, Hollis, Quinn; Chaisson, Jackson, Romero; Cheek, Jones, Schedler; Dardenne, Kostelka, Smith; Duplessis, Malone, Theunissen; Dupre, Marionneaux, Ullo

Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Mr. President, Cravins, Lentini; Adley, Fields, McPherson; Barham, Gautreaux N, Shepherd; Total - 9

The Chair declared the amendments proposed by the House were concurred in. Senator Jackson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 573—

BY SENATOR N. GAUTREAUX
AN ACT

To enact R.S. 3:4617(F), relative to the Louisiana Weights and Measures Law; to provide for the commercial use of the terms "Cajun" and "Louisiana Creole"; to provide the legislative determinations; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and returned to the Calendar, subject to call.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 208—

BY SENATORS MICHOT AND HOLLIS
AN ACT

To amend and reenact R.S. 51:2453(4), relative to the Louisiana Quality Jobs Program Act; to provide for the definition of "new direct job"; to allow employee located in certain geographic areas to be deemed "new direct job"; to provide certain criteria for such employee to be deemed "new direct job"; and to provide for related matters.

On motion of Senator Michot, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 422—

BY SENATOR JACKSON
AN ACT

To enact R.S. 24:515.1, relative to the legislative auditor; to require the legislative auditor to develop a uniform system of reporting all sources of revenue and expenditures relative to judicial district indigent defender boards, funds, and regional defense service centers; to require annual reporting of all major sources of revenues and expenditures through the new audit formats; to provide for uniformity, standardization, and consistency in terminology and classification for annual audit reports; to provide for compliance and reporting schedules; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

NAYS

Total - 0

ABSENT

Mr. President	Fields	McPherson
Adley	Gautreaux N	Schedler

Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 510—

BY SENATOR QUINN
AN ACT

To enact R.S. 22:658(E), relative to homeowner's insurance policies; to provide for payment and adjustment of claims arising under certain circumstances; and to provide for related matters.

On motion of Senator Quinn, the bill was read by title and returned to the Calendar, subject to call.

**House Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 369—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:32(1) and 34(B)(1)(a)(viii), (h)(v), (i), and (j), relative to biological parents; to provide for definitions regarding surrogate pregnancies; to expand the definition of surrogate to include a person related by affinity; to provide for retroactivity; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Adley	Fields	McPherson
-------	--------	-----------

Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 400—

BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 51:938.1, relative to the office of entertainment industry development; to create the office; to provide for duties of the office; to provide for promotional activities; to provide for receipt of funds; and to provide for related matters.

The bill was read by title. Senator Broome moved the final

June 5, 2006

passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Ellington Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Nevers
Broome Heitmeier Romero
Cain Hollis Schedler
Chaisson Jackson Shepherd
Cheek Jones Smith
Cravins Kostelka Theunissen
Dardenne Lentini Ullo
Duplessis Malone
Dupre Marionneaux
Total - 34

NAYS

Total - 0

ABSENT

Mr. President Fields Quinn
Adley McPherson
Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 441— BY REPRESENTATIVE K. CARTER AN ACT

To amend and reenact R.S. 22:1459, relative to insurers; to eliminate the annual reporting of rates of and compensation paid by stock fire insurers to the Insurance Rating Commission; to change references to agents to references to producers; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Ellington Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Nevers
Broome Heitmeier Quinn
Cain Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Dardenne Lentini Theunissen
Duplessis Malone Ullo
Dupre Marionneaux
Total - 35

NAYS

Total - 0

ABSENT

Mr. President Fields
Adley McPherson
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 473— BY REPRESENTATIVE WINSTON AN ACT

To amend and reenact R.S. 28:852(B), relative to the Florida Parishes Human Services Authority; to provide for a change of domicile of the authority; and to provide for related matters.

The bill was read by title. Senator Nevers moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Ellington Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Nevers
Broome Heitmeier Romero
Cain Hollis Schedler
Chaisson Jackson Shepherd
Cheek Jones Smith
Cravins Kostelka Theunissen
Dardenne Lentini Ullo
Duplessis Malone
Dupre Marionneaux
Total - 34

NAYS

Total - 0

ABSENT

Mr. President Fields Quinn
Adley McPherson
Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 480— BY REPRESENTATIVES DURAND, KATZ, AND ST. GERMAIN AND SENATORS JACKSON AND MOUNT AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(f), relative to the Department of Social Services; to provide for re-creation of the Department of Social Services and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Ellington Mount
Bajoie Fontenot Murray
Barham Gautreaux B Nevers
Boasso Gautreaux N Quinn
Broome Heitmeier Romero
Cain Hollis Schedler
Chaisson Jackson Shepherd
Cheek Jones Smith

Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Dupre	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Mr. President	Fields	McPherson
Adley	Kostelka	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 487—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 36:681(C)(1), 686(C)(2) and (E), 687, and 690 and to enact R.S. 36:686(A)(5) and 802.21, relative to the Department of Insurance; to provide with respect to the organization of the department and the agencies made a part of that department; to provide relative to the officers of the department; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Mr. President	Fields
Adley	McPherson
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 585—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:250.2(E)(2)(a)(iv), (b)(ii), and (c)(iii), relative to health insurance; to provide with respect to group health insurance coverage of a dependent child previously enrolled in Medicaid; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Mr. President	Fields
Adley	McPherson
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 589—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 37:3397(B)(1)(introductory paragraph) and (c), (C)(1)(introductory paragraph) and (c), and (D)(1)(introductory paragraph) and (c), and 3406(D) and to enact R.S. 37:3393(I), (J), (K), and (L) and 3397(B)(6), (C)(5), and (D)(5), relative to the real estate appraisers board; to provide for penalties for unlicensed appraisers; to provide for minimum education, examination, and experience requirements; to provide for use of licenses; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Adley	Fields	McPherson
Total - 3		

June 5, 2006

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 674—

BY REPRESENTATIVE WADDELL AND SENATORS DARDENNE, DUPRE, AND FIELDS

AN ACT

To enact R.S. 18:1309.2, relative to a pilot program for early voting; to authorize the secretary of state to develop and implement a pilot program for the conduct of early voting in additional locations within certain parishes; to limit the number of parishes in which such pilot program may be implemented; to require the secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the pilot program; to limit the time frame for and the number of elections at which the pilot program may be implemented; to require the approval of the pilot program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of state to provide a report regarding the pilot program to the House and Senate governmental affairs committees; to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Mr. President	Fields
Adley	McPherson
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 687—

BY REPRESENTATIVES JACKSON AND GRAY

AN ACT

To enact R.S. 28:382.2(D), relative to statewide human services and accountability framework for human services delivery; to provide for reporting; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Adley	Fields	McPherson
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 690—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact Chapter 13-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1449, relative to consumer protection against computer spyware; to provide for definitions; to provide for spyware prohibitions; to provide for control or modification; to provide for misrepresentation; to provide for nonapplicability; to provide for criminal enforcement and penalties; to provide for civil relief; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Adley	Fields	McPherson
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 716—

BY REPRESENTATIVE BEARD
A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to provide for the filling of a vacancy in a statewide elective office other than the office of governor; to provide for certain procedures and limitations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 732—

BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 37:1431(30), relative to the real estate commission; to provide for a definition; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneau	
Dupre	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Fields	McPherson
Amedee	Jones	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 792—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:213.3, 221(B), 2027(C), and 2059, relative to health and accident insurance policies and health maintenance organization contracts; to provide for a thirty-day grace period prior to cancellation for failure to pay premiums or prepaid charges; to provide for a fifteen-day notice to policyholders, subscribers, or enrollees prior to expiration of the grace period; to provide for applicability; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Reengrossed House Bill No. 792 by Representative K. Carter

AMENDMENT NO. 1

On page 3, line 3, change "thirty-one" to "thirty"

On motion of Senator Cain, the amendments were adopted.

The bill was read by title. Senator Cravins moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Adley	Fields	McPherson
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 797—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 40:1241(A), relative to public market places; to provide for exemptions for permanent open-air public market buildings; to require the development of food service operational guidelines; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Marionneau	
Total - 35		

NAYS

Total - 0

June 5, 2006

ABSENT

Adley Malone
Fields McPherson
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 850—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 18:1505.2(S), relative to campaign contributions from persons who have entered into certain transactions; to prohibit such persons from making contributions to certain elected officials; to prohibit elected officials from accepting campaign contributions from such persons; to provide relative to penalties; to provide relative to definitions; to provide relative to dates of application; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 891—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 32:1252(8), (22)(a), and 23(a) and 1254(J)(4)(a), relative to the distribution and sale of motor vehicles; to provide for definitions; to provide for additional licensing and compliance requirements for motor vehicle lessors; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Michot
Amedee Ellington Mount
Bajoie Fontenot Murray
Barham Gautreaux B Nevers
Boasso Gautreaux N Quinn
Broome Heitmeier Romero
Cain Jackson Schedler
Chaisson Jones Smith
Cheek Kostelka Theunissen
Cravins Lentini Ullo
Dardenne Malone
Duplessis Marionneaux
Total - 34

NAYS

Total - 0

ABSENT

Adley Hollis Shepherd
Fields McPherson
Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 909—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2), 571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B),

1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.1, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for the selection of commissioners; to provide relative to the requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to remove references to voting machines, equipment, and paraphernalia no longer in use; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 909 by Representative Bruneau

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on May 25, 2006.

Senator Murray moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Cravins Murray
Amedee Duplessis Nevers
Bajoie Gautreaux B Romero
Boasso Heitmeier Shepherd
Broome Jackson Smith
Cain Jones Ullo
Cheek Michot
Total - 20

NAYS

Barham Fontenot Schedler
Dardenne Hollis Theunissen
Dupre Mount
Ellington Quinn
Total - 10

ABSENT

Adley Gautreaux N Malone
Chaisson Kostelka Marionneaux

Fields Lentini McPherson
Total - 9

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 909 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 4, after "553(B)(1)(b) and (2)," and before "571," insert "564(D)(2),"

AMENDMENT NO. 2

On page 2, line 6, after "purposes;" insert "to provide relative to proof of eligibility to vote with assistance;"

AMENDMENT NO. 3

On page 2, line 10, after "533(A)," and before "583(D)(1)," insert "564(D)(2),"

AMENDMENT NO. 4

On page 11, between lines 10 and 11, insert the following:

"§564. Assistance in voting
D.
(2) A voter shall also be entitled to assistance without having filed with the registrar a statement setting forth the necessity and reasons for this assistance if, on election day, the voter presents to the commissioner-in-charge a physician's certificate indicating the voter's inability to vote without assistance because of a physical handicap, or a current mobility-impaired identification card bearing a photograph of the voter and the international symbol of accessibility issued by the secretary of the Department of Public Safety and Corrections as authorized by the provisions of R.S. 47:463.4. The commissioner-in-charge shall place the any physician's certificate presented by a voter in the envelope marked "Registrar of Voters" and attach the envelope to the precinct register.

On motion of Senator Jones, the amendments were adopted.

The bill was read by title. Senator Murray moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Cravins Jones
Amedee Duplessis Marionneaux
Bajoie Dupre Murray
Broome Ellington Nevers
Cain Gautreaux B Shepherd
Cheek Jackson Ullo
Total - 18

NAYS

Barham Heitmeier Quinn
Boasso Hollis Romero
Chaisson Kostelka Schedler
Dardenne Lentini Smith
Fontenot Malone Theunissen
Gautreaux N Mount
Total - 17

ABSENT

Adley McPherson

Fields Michot

Total - 4

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Murray, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

HOUSE BILL NO. 977—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 42:1102(21), relative to the Code of Governmental Ethics; to provide for the definition of substantial economic interest for the purpose of the Code of Governmental Ethics; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Marionneaux
Amedee Ellington Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Nevers
Broome Heitmeier Quinn
Cain Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Dardenne Lentini Theunissen
Duplessis Malone Ullo
Total - 36

NAYS

Total - 0

ABSENT

Adley Fields McPherson

Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1003—

BY REPRESENTATIVES SALTER AND SCALISE
AN ACT

To enact R.S. 47:337.9(F), relative to the Uniform Local Sales Tax Code; to exempt purchases of prescription drugs purchased through or pursuant to a Medicare Part D plan; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Reengrossed House Bill No. 1003 by Representative Salter

June 5, 2006

AMENDMENT NO. 1

On page 1, delete line 7 and insert in lieu thereof the following:
"§337.9. Exemptions applicable to local tax in Chapters 2, 2-A,
and 2-B; other exemptions applicable"

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved the final
passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and their votes (YEAS). Includes Mr. President, Amedee, Bajolie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table listing names of senators and their votes (ABSENT). Includes Adley, Fields, Marionneaux, McPherson.

The Chair declared the amended bill was passed. The title was
read and adopted. Senator Mount moved to reconsider the vote by
which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1010—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 32:300.3, relative to operating motor vehicles; to
prohibit the operator or a passenger in a motor vehicle from
smoking when children of a certain age are present; to provide
relative to penalties for violations; to provide relative to
citations issued for violations; to prohibit certain actions by law
enforcement officers; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were
read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed
House Bill No. 1010 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:300.3," insert "and Part LXIII of
Chapter 5 of Title 40 of the Louisiana Revised Statute of 1950, to be
comprised of R.S. 40:1300.251 through 1300.253, 1300.255,
1300.261 through 1300.263, relative to providing restrictions on the
use of tobacco;"

AMENDMENT NO. 2

On page 1, at the end of line 7, insert the following:
"to create the Louisiana Clean Indoor Air Act;"

AMENDMENT NO. 3

On page 7, between lines 15 and 16, insert the following:
" Section 2. PART LXIII. LOUISIANA CLEAN INDOOR AIR
ACT

SUBPART A. GENERAL PROVISIONS

§1300.251. Short title
This Part shall be known and may be cited as the "Louisiana
Clean Indoor Air Act."

§1300.252. Purpose
The legislature finds and determines that it is in the best
interest of the people of this state to protect nonsmokers from
involuntary exposure to environmental tobacco smoke in most
indoor areas open to the public, public meetings, food service
establishments, and places of employment. The legislature
further finds and determines that a balance should be struck
between the health concerns of nonconsumers of tobacco
products and the need to minimize unwarranted governmental
intrusion into and regulation of private spheres of conduct and
choice with respect to the use or nonuse of tobacco products in
certain designated public areas and in private places. Therefore,
the legislature hereby declares that the purpose of this Part is to
preserve and improve the health, comfort, and environment of
the people of this state by limiting exposure to tobacco smoke.

§1300.253. Definitions
A. For the purposes of this Part, the following terms shall
have the following meanings unless the context clearly indicates
otherwise:

(1) "Airport smoking concession" means a bar or
restaurant, or both, in a public airport with regularly scheduled
domestic and international commercial passenger flights, in
which bar or restaurant smoking is allowed in a fully enclosed
and independently ventilated area by the terms of the concession.

(2) "Bar" means any indoor area that is operated and
licensed under Chapter 1, Title 26 of the Louisiana Revised
Statutes of 1950, primarily for the sale and service of alcoholic
beverages for on-premises consumption of such beverages.

(3) "Department" means the Department of Health and
Hospitals.

(4) "Employer" means any person, partnership, association,
corporation, or nonprofit entity that employs four or more
persons. "Employer" includes, without limitation, the legislative,
executive, and judicial branches of state government; any parish,
city, or town, or instrumentality thereof, or any other political
subdivision of the state, special district, authority, commission, or
agency; or any other separate corporate instrumentality or unit
of state or local government.

(5) "Environmental tobacco smoke" also known as "ETS"
or "Secondhand Smoke" means the complex mixture formed
from the escaping smoke of a burning tobacco product (also
known as "sidestream smoke") and smoke exhaled by the
smoker.

(6) "Food service establishment" means any indoor area or
portion thereof in which the principal business is the sale of food
for on-premises consumption. The term includes, without
limitation, restaurants, cafeterias, coffee shops, diners, sandwich
shops, and short-order cafes.

(7) "Indoor area" means any enclosed area or portion
thereof. The opening of windows or doors, or the temporary
removal of wall panels, does not convert an indoor area into an
outdoor area.

(8) "Local authority" means a municipal or parish
governing authority.

(9) "Place of employment" means any indoor area or portion
thereof under the control of an employer in which employees of
the employer perform services for, or on behalf of, the employer.

(10) "Public building" means any building owned or
operated by any of the following:

(a) The state, including the legislative, executive, and judicial
branches of state government.

(b) Any parish, city, or town, or instrumentality thereof, or
any other political subdivision of the state, special district,
authority, commission, or agency.

(c) Any other separate corporate instrumentality or unity of
state or local government.

(11) "Secretary" means the secretary of the Department of Health and Hospitals.

(12) "Smoke-free work area" means an indoor area in a place of employment where no smoking occurs.

(13) "Smoking" means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted tobacco product.

(14) "Tobacco business" means a sole proprietorship, corporation, partnership, limited liability company, or other enterprise engaged primarily in the sale, manufacture, or promotion of tobacco, tobacco products, or smoking devices or accessories, either at wholesale or retail, and in which the sale, manufacture, or promotion of other products is merely incidental.

(15) "Work area" means an area in a place of employment where one or more employees are routinely assigned and perform services for or on behalf of their employer.

SUBPART B. RESTRICTIONS AND EXEMPTIONS

§1300.255. General Smoking Restrictions; exemptions

A. Except as otherwise provided in Subsection B of this Section, and in order to reduce the levels of exposure to environmental tobacco smoke, smoking shall not be permitted and no person shall smoke in an enclosed indoor area, including but not limited to any of the following:

- (1) Public meetings.
- (2) Buildings, offices, shops, or elevators.
- (3) Buses, trains, and other forms of public transportation.
- (4) Shopping malls, retail stores, grocery stores, or arcades.
- (5) Libraries, theaters, concert halls, museums, art galleries, planetariums, historical sites, auditoriums, or arenas.
- (6) Jury waiting and deliberation rooms.
- (7) Courtrooms.
- (8) Child day care facilities.
- (9) Health care facilities, including hospitals, health care clinics, doctor offices, and other health-care related facilities.
- (10) Any place of employment that is not exempted.
- (11) Restrooms, lobbies, reception areas, hallways, and other common-use areas.
- (12) Restaurants, cafes, or cafeterias.
- (13) Gymnasiums, indoor sports arenas, and sports and fitness facilities.
- (14) Lobbies, hallways, and other common areas in apartment buildings, condominiums, and other multi-unit residential facilities.
- (15) Lobbies, hallways, elevators, restaurants, cafeterias, and other common areas in hotels and motels.
- (16) Retirement facilities, assisted living facilities, and nursing homes, except for specially designated smoking areas not located near residential quarters.
- (17) Public and non-public schools; and other educational and vocational institutions.

B. Nothing in this Part shall prohibit smoking in any of the following places:

- (1) Private homes, private residences, and private automobiles; except that this Section shall apply if any such home, residence, or vehicle is being used for child care or day care or if a private vehicle is being used for the public transportation of children or as part of health care or day care transportation.
- (2) Limousines under private hire.
- (3) A hotel or motel room designated as a smoking room and rented to a guest.
- (4) Any retail tobacco business.
- (5) Any tobacco bar.
- (6) Any bar as defined in R.S. 40:1300.252(A)(2).
- (7) Any airport smoking concession.
- (8) The room of a hospice patient in a hospice facility, so long as such room is appropriately segregated from the rooms and common facilities of other hospice patients.
- (9) The outdoor area of any business; except that the owner or manager of such business may post signs prohibiting smoking in any such outdoor area, which shall have the effect of making that outdoor area an area in which smoking is prohibited under the provisions of this Part.

(10) The licensed premises, as defined in Chapter 4 and 11 of Title 4 and Chapters 4, 5, 6, and 7 of Title 27 of the Louisiana Revised Statutes of 1950, or any other gaming operations authorized by law.

C. In the case of employers otherwise exempted from this Part, each such employer shall provide a smoke-free work area for every employee requesting not to have to breathe environmental tobacco smoke.

D. This Part expressly preempts regulation of smoking to the state and supersedes any municipal or parish ordinance on the subject.

SUBPART C. PENALTIES AND RULES AND REGULATIONS

§1300.261. Responsibilities of proprietors

The proprietor or other person in charge of a public place where smoking is prohibited shall make reasonable efforts to prevent smoking in such place by taking the following actions:

- (1) Posting appropriate signs.
- (2) Arranging seating to provide a smoke-free area.
- (3) Requesting smokers to extinguish the tobacco product.
- (4) Any other means deemed appropriate by the proprietor or other person in charge.

§1300.262. Penalties

A. Any person who violates the provisions of R.S. 40:1300.255(A) shall be subject to a civil penalty of not more than one hundred dollars for the first violation and not more than five hundred dollars for each subsequent violation. Jurisdiction shall be with the appropriate court having jurisdiction over misdemeanors in the parish or municipality of the domicile of the facility.

B.(1) It shall be unlawful for any person who owns, manages, operates, or otherwise controls the use of any premises subject to this Part to violate any provision of this Part.

(2) Whoever violates the provisions of Paragraph (B)(1) shall be subject to a civil penalty of not less than two hundred fifty dollars nor more than seven hundred fifty dollars for the first violation and not less than five hundred dollars nor more than two thousand dollars for each subsequent violation. Jurisdiction shall be with the appropriate court having jurisdiction over misdemeanors in the parish or municipality of the domicile of the facility.

§1300.263. Rules and regulations

The secretary of the department shall adopt and promulgate rules and regulations necessary to carry out the provisions of this Part in accordance with the Administrative Procedure Act."

AMENDMENT NO. 4

On page 9, line 16, change "Section 2" to "Section 3"

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Chaisson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Murray
Amedee	Ellington	Nevers
Bajoie	Gautreaux B	Quinn
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Broome	Hollis	Shepherd
Cain	Jackson	Smith
Chaisson	Lentini	Theunissen
Cheek	Marionneaux	Ullo
Dardenne	Michot	
Duplessis	Mount	
Total - 31		

June 5, 2006

NAYS

Cravins Fontenot Malone
Total - 3

ABSENT

Adley Jones McPherson
Fields Kostelka
Total - 5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1016—
BY REPRESENTATIVES CAZAYOUX AND LAFLEUR
AN ACT

To amend and reenact R.S. 42:1114.3(B), (C), (D)(1) and (3), and (E)(3), relative to certain disclosures required by the Code of Governmental Ethics; to provide for disclosure reports and statements required to be filed by the Code of Governmental Ethics; to provide for initial disclosure statements; to provide for the manner of filing certain such disclosure statements; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Adley Fields McPherson
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1036—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:844(A)(1) and (12), (C)(1), and (D)(1)(a), relative to investment by domestic insurers in securities; to authorize domestic insurers to invest in certain mortgage obligations and bonds and other mortgage-backed securities and in mutual funds that invest in foreign securities; to authorize domestic life insurers to invest in certain real estate investment trusts; to limit the amount of such investments; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Amedee	Ellington	Marionneau
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Adley McPherson Shepherd
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1051—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 18:18.2, relative to the secretary of state engaging in certain political activities; to prohibit the secretary of state from engaging in certain political activities, except related to his own candidacy; to provide relative to the definitions; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Adley Gautreaux B McPherson
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1078—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:969.37(A)(1), (B), (C)(1), (D)(1), (E), (G), and (H), 969.38(A), (B), (C)(1) and (2), and (D), 969.39(A) and (B), 969.40(B), (C), and (D), and 969.41(A), (B), and (C), relative to the Louisiana Motor Vehicle Sales Finance Act; to provide for licensing procedures; to provide for denial, suspension, or revocation of licenses; to provide for investigations and complaints; to provide for the powers of the commission; to provide for the penalties imposed by the commission; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1137—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 45:844.31(A), relative to telemarketing activities; to provide for the prohibition of telephonic solicitation during a state of emergency; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Adley	McPherson
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Jones in the Chair

HOUSE BILL NO. 1169— (Substitute for House Bill No. 115 by Representative Pinac)

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:1123.115(A), relative to condominium management; to provide for privileges on immovables; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Amedee	Ellington	Michot
Bajoie	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux B	Quinn
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Hollis	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total - 34		

NAYS

Malone
Total - 1

ABSENT

Adley	Mount
McPherson	Shepherd
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1232—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 22:1138.2, relative to insurance producers; to provide for specialty limited lines motor vehicle title insurance producer licenses and their issuance by the commissioner of insurance; to provide for an application process; to provide for fees; to provide for renewals; to provide for registration of employees and representatives; to provide for penalties; to provide for commissions; to provide for regulations; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Gautreaux B	Murray
Broome	Heitmeier	Quinn
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Dupre	Marionneaux	
Total - 28		

NAYS

Barham	Fontenot	Smith
Boasso	Gautreaux N	
Cain	Malone	
Total - 7		

ABSENT

Adley	Nevers
-------	--------

June 5, 2006

McPherson Shepherd
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1254—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:2844(B)(introductory paragraph) and (C)(1) and (2) and to enact R.S. 40:2844(B)(17) through (20), relative to the Louisiana Emergency Response Network Board; to provide for the addition of members; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Marionneaux
Amedee Ellington Michot
Bajoie Fields Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Quinn
Broome Heitmeier Romero
Cain Hollis Schedler
Chaisson Jackson Smith
Cheek Jones Theunissen
Cravins Kostelka Ullo
Dardenne Lentini
Duplessis Malone
Total - 34

NAYS

Total - 0

ABSENT

Adley McPherson Shepherd
Fontenot Nevers
Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1255—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:3386.1(3), (10), and (14), 3387.1(A) and (E)(2), 3387.2(A) and (E)(1), 3388.2(A), (B), and (D), and 3389, to enact R.S. 36:259(E)(24) and R.S. 37:3387.10 through 3387.14, and to repeal R.S. 37:3386.1(13) and R.S. 37:3387.7 through 3387.9, relative to the Addictive Disorders Practice Act; to provide transitional authority for the Addictive Disorder Regulatory Authority; to provide for definitions; to provide for licensed prevention professionals, certified prevention professionals, registered prevention professionals, prevention services assistants, and certified prevention supervisors; to provide for the Addictive Disorder Regulatory Authority; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Marionneaux
Amedee Fields Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Nevers
Broome Heitmeier Quinn
Cain Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Smith
Dardenne Kostelka Theunissen
Duplessis Lentini Ullo
Dupre Malone
Total - 35

NAYS

Total - 0

ABSENT

Adley McPherson
Cravins Shepherd
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1265—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 40:1749.13(E), relative to underground utilities and facilities damage prevention; to provide for a longer notification period before excavation in certain areas of the state; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Marionneaux
Amedee Fields Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Nevers
Broome Heitmeier Quinn
Cain Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Smith
Cravins Kostelka Theunissen
Duplessis Lentini Ullo
Dupre Malone
Total - 35

NAYS

Total - 0

ABSENT

Adley McPherson
Dardenne Shepherd
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1270—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 51:710(A) and to enact R.S. 51:710.1, relative to securities; to provide for the powers and authority of the commissioner of securities; to provide additional powers for the commissioner during a declared state of emergency; to authorize the commissioner to assess certain civil monetary penalties; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Adley	McPherson
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1321—
BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and to enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2163.1 through 2163.8, relative to adult residential care providers; to provide for purpose and definitions; to provide licensure, rules, regulations, standards, and fees; to provide for license issuance, inspection, and on-site application; to provide for operation without a license and penalties; to provide for community service provider fees and their disposition; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed House Bill No. 1321 by Representative Dorsey

AMENDMENT NO. 1

On page 6, line 25, after "provider" and before "and" insert the following:

"as well as any other provider of services offered in lieu of institutional placement"

On motion of Senator Jackson, the amendments were adopted.

The bill was read by title. Senator Jackson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Adley	McPherson
Total - 2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 1325—
BY REPRESENTATIVE BURRELL
AN ACT

To amend and reenact R.S. 51:941(3), relative to economic development; to provide for a definition of "small and emerging business"; and to provide for related matters.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed House Bill No. 1325 by Representative Burrell

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 51:941(3)," and insert "R.S. 39:1503.1(A)(introductory paragraph) and R.S. 51:941(3) and to enact R.S. 51:946 and 947,"

AMENDMENT NO. 2

On page 1, line 3, after "business"; insert "to provide for the mentor-protégé program; to provide for legislative findings; to provide for executive branch agency participation;"

AMENDMENT NO. 3

On page 1, line between lines 4 and 5, insert the following: "Section 1. R.S. 39:1503.1(A)(introductory paragraph) is hereby amended and reenacted to read as follows:

§1503.1. Incentives for participation in mentor-protégé program
A. Any request for proposal for any contract governed by the provisions of this Chapter may include incentives as provided herein to encourage participation in the mentor-protégé program as provided by R.S. ~~51:1753.1 and 1753.2~~ 51:946 and 947, including:

June 5, 2006

* * *

AMENDMENT NO. 4

On page 1, delete line 5 and insert the following:
"Section 2. R.S. 51:941(3) is hereby amended and reenacted and R.S. 51:946 and 947 are hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 1, after line 15, insert the following:
"§946. Mentor-protégé program; legislative findings; purposes; implementation

A. It is the finding of the Legislature of Louisiana that the overall economic health of the state would be improved by enabling the growth or formation of more viable small businesses. The legislature also finds that one way to facilitate the growth and formation of small businesses is to establish a mentor-protégé program to enable economically disadvantaged businesses to break down barriers and build economic self-sufficiency and capacity. The legislature finds that the establishment of a mentor-protégé program would benefit the state as the program would facilitate the creation of mutually beneficial relationships to assist in the transfer of managerial and technical skills and in the provision of one-on-one technical assistance from companies which are self-sufficient and thriving to companies which are attempting to succeed economically. The legislature further finds that an important element in facilitating companies to become economically viable includes development of the capacity to compete for public and private sector contracting and purchasing opportunities.

B. There is hereby established within the division the mentor-protégé program which shall be administered by the division. The division shall provide for implementation of the program through the adoption and promulgation of rules and regulations which, at a minimum, provide for the following:

(1) Terms, conditions, and criteria for participation, which at a minimum shall include eligibility as economically disadvantaged businesses and persons.

(2) Development of a departmental marketing plan identifying business sectors to target for mentor-protégé activities and identifying potential firms to participate.

(3) Establishment of a database of protégé companies throughout the state to identify companies based on the type of enterprise in which they are involved.

(4) Guidelines for participation by mentor firms, including the following:

(a) Demonstrated capacity in managerial or technical skills.

(b) Participation requirements, including the time frame of the mentor-protégé relationship, specific business processes, procedures, or skills which will be transferred, and other evidence that a bona fide mentor-protégé business relationship exists.

(5) Guidelines for participation by the protégé firms, including:

(a) Eligibility criteria, including a net worth threshold and other business capacity measures.

(b) Eligibility for governmental contracting.

(6) Development and approval of a mentor-protégé plan between qualified firms detailing the following:

(a) The duties and responsibilities to be performed by each party in the joint, reciprocal relationship, including the transfer of managerial and technical skills and the development of competence, competitive position, and shared opportunity.

(b) Prohibition of mentor-protégé participation in the source selection process pursuant to R.S. 51:947 within one hundred and twenty days after a mentor-protégé plan between two companies has been approved.

(c) Provisions for termination, including provisions relative to competition between the mentor and protégé firms once the relationship is ended.

(7) Measures of performance to evaluate each individual mentor-protégé plan approved by the division including measures of the change in protégé firm's business capacity and capability, numbers and dollar value of contracts under the plan, and progress toward graduation from protégé status.

(8) Provisions for nonperformance by either the mentor firm or the protégé firm.

(9) Provisions for conflict resolution between the two parties in

the relationship.

(10) Implementation of internal departmental controls over the program and the participants.

§947. Executive branch agency participation in mentor-protégé program

Any state agency may develop a plan for participation in the mentor-protégé program which plan shall be consistent with the rules and regulations adopted pursuant to R.S. 51:946. Additionally, each plan shall specify the conditions for participation for that agency in accordance with the statutes governing public bid and procurement."

On motion of Senator Jackson, the amendments were adopted.

The bill was read by title. Senator Jackson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting 'YEAS' in three columns: Mr. President, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

Total - 37

NAYS

Total - 0

ABSENT

Adley McPherson

Total - 2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1377— (Substitute for House Bill No. 502 by Representative Pinac)

BY REPRESENTATIVE PINAC AN ACT

To enact Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:781 through 822, and to repeal Chapter 4-A of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:751 through 766, and Chapter 4-B of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:771 through 780, relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for definitions; to provide for jurisdiction and authority; to provide for appointment and the powers and duties of the commission; to provide for licensing requirements for dealers; to provide for injunctions; to provide for penalties; to provide for application and bond requirements for a used motor vehicle dealer license; to provide for suspension or revocation of license; to provide for rent with option-to-purchase program; to provide for water-damaged vehicles; to provide for prohibition of black market sales; to provide for licensing requirements for dismantlers, parts recyclers, used parts dealers, and motor vehicle crushers; to provide for suspension of licenses; to provide for requirement to keep records; to provide for transfers of title; to provide for salvage pools; to provide for salvage dealers; to provide for requirements for recreational product dealers and manufacturers; to provide for unlawful acts and

suspension of license; to provide for indemnity requirements; to provide for areas of responsibility; to provide for repurchase requirements; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Uilo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Adley	McPherson
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Mount asked that Senate Bill No. 645 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 645—
BY SENATOR MOUNT AND REPRESENTATIVE BRUNEAU
AN ACT**

To amend and reenact R.S. 13:1, 474, 477(introductory paragraph), 691(A), 759, 842(A), 846(A)(introductory paragraph), and 901, R.S. 18:402(D), and R.S. 44:71; to enact R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 714.1, 714.2, 751.1, 751.2, 751.3, 751.4, 841.3, 983, 996.62 through 996.64, and Chapter 2-A of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:181 through 185; and to repeal R.S. 9:2745, R.S. 13:471, 1001 through 1147, 1271 through 1305, 1312, 1335 through 1347, and 1381.1 through 1400, R.S. 18:514(B), and Part III of Chapter 5 of Title 35 of the Louisiana Revised Statutes of 1950, comprised of R.S. 35:321 through 338, and Chapter 3 of Title 44 of the Louisiana Revised Statutes of 1950, comprised of R.S. 44:201 through 268, relative to the

reorganization and consolidation of courts, offices, and officers of the judicial system in and for certain parishes; to provide relative to the register of conveyances and recordation for certain parishes; to provide, delineate, and otherwise designate the powers, authority, duties, functions, compensation, fees, and related matters concerning the civil and criminal district courts, clerks of the civil and criminal courts, the office and custodian of notarial records, the office of the register of conveyances, the office of the recorder of mortgages, and other judicial officers and officials for certain parishes, to create the Forty-First Judicial District, its subsequent courts, magistrate, and commissioners, to create the Consolidated Expense Fund for the Forty-First Judicial District and the Consolidated Expense Fund Board; to provide for the consolidation of certain offices and judicial expense funds; to provide for the election of a single clerk of court for certain parishes commencing with the next election for parochial and municipal officers in the parishes; to provide for effective dates; to abolish the office of the register of conveyances, the office of the recorder of mortgages, and the office and custodian of notarial records; to provide transitional provisions; to provide for the reduction by attrition of judges upon retirement pursuant to recommendations of the Judicial Council; to request the Judicial Council to review and make recommendations on the optimum number of district court judges in certain parishes based on certain data; to request the Louisiana State Law Institute to change statutory references including the renumbering of provisions consistent with the provisions of this Act; to provide for an effective date; to provide for a referendum in Orleans Parish; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Reengrossed Senate Bill No. 645 by Senator Mount

AMENDMENT NO. 1
On page 1, line 4, delete "621.43,"

AMENDMENT NO. 2
On page 2, lines 10 and 11, delete "to provide for the reduction by attrition of judges upon retirement pursuant to recommendations of the Judicial Council;"

AMENDMENT NO. 3
On page 2, line 20, delete "621.43,"

AMENDMENT NO. 4
On page 5, line 20, after "twenty-six judges," delete the remainder of the line and delete lines 21 through 23

AMENDMENT NO. 5
On page 5, delete line 27 and insert "**B. (1) The judges of the Forty-First Judicial District Court**"

AMENDMENT NO. 6
On page 5, delete lines 28 through 29 and insert the following:
"by rule adopted by a majority vote of the judges sitting en banc, with the consent of the judge of the respective division, may assign certain divisions of the court to a criminal section and certain divisions to a civil, domestic relations, or other section of the court,
(2) Notwithstanding any principal assignments to divisions, all divisions of the court shall retain general jurisdiction to hear all matters."

AMENDMENT NO. 7
On page 6, delete lines 1 through 29 and insert the following:
"C. The Forty-First Judicial District Court shall be composed of divisions A through Z.

D. The judges presently presiding over Divisions A through N of the Civil District Court for the parish of Orleans shall preside over Divisions A through N of the Forty-First Judicial District Court. The judges shall continue to serve until the thirty-first day of December of the year in which their terms expire.

E. The judges presently presiding over Divisions A through L of the Criminal District Court for the parish of Orleans shall preside over Divisions O through Z of the Forty-First Judicial District Court. The judges shall continue to serve until the thirty-first day of December of the year in which their terms expire."

AMENDMENT NO. 8

On page 7, delete line 1 and insert "**F.(1) The Forty-First Judicial District Court shall have general supervisory jurisdiction over the municipal and traffic courts and appellate**"

AMENDMENT NO. 9

On page 7, line 6, change "**criminal section**" to "**Forty-First Judicial District Court**", on line 7, delete "**of the criminal**", and on line 8, at the beginning of the line delete "**section**" and delete "**of the criminal section**"

AMENDMENT NO. 10

On page 7, delete lines 11 through 17; and on line 18, change "**civil division of the district court**" with "**Forty-First Judicial District Court**"

AMENDMENT NO. 11

On page 8, line 4, after "**term.**" delete the remainder of the line, and on line 5, delete "**D of this Section shall be presided over by a judge of the court.**"

AMENDMENT NO. 12

On page 8, line 12, after "**H.**" insert "**Subject to the recommendations of the committee provided for in R.S. 13:996.62,**" and change "**On**" to "**on**"

AMENDMENT NO. 13

On page 8, at the end of line 26, insert:
"**The salaries of the employees shall continue to be paid from the same sources and in the manner in which they are paid on December 31, 2008. The employees shall continue to be entitled to participate in the same health and life insurance plans they are participating in on December 31, 2008.**"

AMENDMENT NO. 14

On page 9, line 1, after "**parishes**" delete the remainder of the line

AMENDMENT NO. 15

On page 9, delete lines 8 through 21

AMENDMENT NO. 16

On page 9, line 22, change "**§621.43.**" to "**§621.42.**"

AMENDMENT NO. 17

On page 10, line 15, delete "**Criminal Division**", on line 19, delete "**Criminal Division**", and at the end of line 26, insert "**The magistrate shall be a member of the court sitting en banc.**"

AMENDMENT NO. 18

On page 11, lines 1,5, and 16, delete "**Criminal Division**,"

AMENDMENT NO. 19

On page 11, lines 22, 24, and 29, delete "**Criminal Division**"

AMENDMENT NO. 20

On page 12, line 10, after "**as**" delete the remainder of the line and insert "**they are paid on December 31, 2008.**" and delete line 11

AMENDMENT NO. 21

On page 12, line 12, delete "**Criminal**" and on line 13, delete "**Division**,"

AMENDMENT NO. 22

On page 12, lines 17, 23 and 27, delete "**of the criminal division**"

AMENDMENT NO. 23

On page 13, lines 24 and 26, change "**Section**" with "**Matters**"

AMENDMENT NO. 24

On page 15, line 29, change "**fifty**" to "**sixty**"

AMENDMENT NO. 25

On page 19, line 18, after "**District**" insert "**when the defendant is indigent and judges sitting en banc have approved the payment**"

AMENDMENT NO. 26

On page 20, line 9, change "**civil and criminal district**" to "**Forty-First Judicial District Court**" and on line 10 delete "**courts**"

AMENDMENT NO. 27

On page 20, line 13, after "**Subsection**" insert ":" and delete the remainder of the line, and delete lines 14 through 17 and insert the following:

"(2) **There is hereby created a committee consisting of the clerks and chief judges of criminal and civil district court for Orleans parish, or their designees, which shall be known as the "Consolidation Review Committee." The clerk of the civil district court shall chair the committee. The committee shall:**

(a) **Review all funds and funding sources for the courts enumerated in this Subsection.**

(b) **Have an audit conducted by an independent certified public account of all monies, deposits and accounts possessed, controlled, exercised, or used by a court or judge.**

(c) **Identify all obligations and debts of the courts enumerated in this Subsection.**

(d) **Recommend appropriate funding levels and the sources for such funding for the courts.**

(e) **Recommend the appropriate method for consolidating all funds, monies, deposits, accounts, obligations and debts of the enumerated courts into the Consolidated Judicial Expense Fund.**

(3) **The Consolidation Review Committee shall report its findings and recommendations to the legislature not later than January 1, 2008.**"

AMENDMENT NO. 28

On page 20, line 18, change "**(2)**" to "**(4)**"

AMENDMENT NO. 29

On page 20, line 23, change "**both**" to "**the**", after "**en banc.**" insert "**At least one of**", and change "**The**" to "**the**"

AMENDMENT NO. 30

On page 20, line 26, between "**shall**" and "**serve**" insert "**be elected by majority vote and**" and on line 29, after "**collectively**" delete the remainder of the line

AMENDMENT NO. 31

On page 21, delete lines 1 through 14

AMENDMENT NO. 32

On page 21, line 16, after "**Fund.**" insert "**in accordance with the recommendations of the Consolidation Review Committee.**"

AMENDMENT NO. 33

On page 22, at the end of line 1, insert "**The establishment of the Consolidated Judicial Expense Fund in no way relieves or extinguishes any obligation of the city of New Orleans to fund the court system.**"

AMENDMENT NO. 34

On page 22, line 19, replace "**shall**" with "**may**"

AMENDMENT NO. 35

On page 23, line 7, after "**fund.**" insert "**This transfer of obligations shall in no way create a personal obligation for any judge of the**"

Forty-First Judicial District Court, if no such obligation existed prior to the transfer.

AMENDMENT NO. 36

On page 24, line 15, after "**A.**" delete the remainder of the line, delete lines 16 through 25 and on line 26, delete "**Fund for the Forty-First Judicial District.**"

AMENDMENT NO. 37

On page 24, at the end of line 29, insert "**B. All funds received under this Section shall be used to pay court reporter fees for transcripts prepared for indigent defendants, including bills of exceptions, trials, motions, hearings on writs, and all court proceedings.**"

AMENDMENT NO. 38

On page 25, line 1, replace "**Consolidated Judicial Expense Fund Board**" with "**Forty-First Judicial District Court**"

AMENDMENT NO. 39

On page 25, line 5, after "**Court**" delete the comma "," and delete line 6

AMENDMENT NO. 40

On page 25, lines 8, 15, and 17, delete "**Criminal Division of the**"

AMENDMENT NO. 41

On page 25, line 26, delete "**Criminal**" and on line 27, delete "**Division of the**"

AMENDMENT NO. 42

On page 26, line 3, change "**judicial administrator**" to "**Consolidated Judicial Expense Fund.**" and delete lines 4 and 5 in their entirety

AMENDMENT NO. 43

On page 26, line 12, change "**judicial administrator for further**" to "**Consolidated Judicial Expense Fund.**"

AMENDMENT NO. 44

On page 26, delete lines 13 through 28

AMENDMENT NO. 45

On page 28, line 17, change "**Civil**" to "**Forty-First Judicial**" and on line 18, change "**Orleans Parish**" to "**Civil Matters**"

AMENDMENT NO. 46

On page 28, line 24, between "**three**" and "**deputies**" insert "**chief**" and on lines 25 and 26, between "**Each**" and "**deputy**" insert "**chief**"

AMENDMENT NO. 47

On page 29, line 19, delete "**Civil Section of the**"

AMENDMENT NO. 48

On page 32, line 17, change "**civil district court**" to "**Forty-First Judicial District Court**" and delete "**in and for the parish of**", and on line 18, delete "**Orleans or its successor**"

AMENDMENT NO. 49

On page 33, line 3, after "**et seq.**" delete the remainder of the line and delete lines 4 and 5

AMENDMENT NO. 50

On page 35, line 13, after "**use**" delete the remainder of the line and insert "**of the clerk's office**" and on line 14, delete "**Louisiana at New Orleans**"

AMENDMENT NO. 51

On page 36, line 27, delete "Civil District Court" and insert "Forty-First Judicial District Court for Civil Matters"

AMENDMENT NO. 52

On page 37, line 1, delete "Civil District" and on line 2, delete "Court for the parish of Orleans" and insert "Forty-First Judicial District

Court for Civil Matters"

AMENDMENT NO. 53

On page 37, line 7, change "Civil District Court for the parish of Orleans" to "Forty-First Judicial District Court for Civil Matters" and on line 8, change "Civil District Court for the parish of Orleans" to "Forty-First Judicial District Court for Civil Matters"

AMENDMENT NO. 54

On page 39, line 8, after "law" insert a period "." and delete the remainder of the line, and delete lines 9 through 21

AMENDMENT NO. 55

On page 39, line 24, delete "Civil Section of the"

AMENDMENT NO. 56

On page 41, line 19, change "State Employees' Retirement System" to "Clerks of Court Retirement and Relief Fund"

AMENDMENT NO. 57

On page 43, line 16, delete "841.3,"

AMENDMENT NO. 58

On page 44, line 2, after "Section 22." insert the following:
 "The provisions of R.S. 13:751.4 and 841.3 of Section 1 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. Until a single clerk for the Forty-First Judicial District Court is elected, the clerk shall mean the clerk of the civil district court and the clerk of the criminal district court."

AMENDMENT NO. 59

On page 44, line 5, change "the" to "these" and delete "of law then in effect" and insert "On or after January 1, 2009, the sixty percent in R.S. 13:841.3 may be renegotiated by the clerk and chief judge of the Forty-First Judicial District Court, but shall not be negotiated below fifty percent."

On motion of Senator Mount, the amendments were adopted.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed Senate Bill No. 645 by Senator Mount

AMENDMENT NO. 1

On page 37, at the end of line 16, add
 "Notwithstanding any provisions of this Act or other provision of law to the contrary, (a) any increase in costs arising from this Act or as a result of the implementation of any of its provisions shall be assumed, borne and paid solely by the state, and (b) this provision and requirement shall supersede and control to the extent of conflict with any other provision of law."

Senator Murray moved adoption of the amendments.

Senator Mount objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Duplessis	Jones
Bajoie	Fields	Lentini
Boome	Fontenot	Murray
Cain	Gautreaux B	Nevers

June 5, 2006

Chaisson Cheek Cravins Total - 19	Gautreaux N Heitmeier Jackson	Shepherd
--	-------------------------------------	----------

NAYS

Barham Boasso Dardenne Dupre Ellington Hollis Total - 16	Kostelka Malone Michot Mount Quinn Romero	Schedler Smith Theunissen Ullo
--	--	---

ABSENT

Mr. President Adley Total - 4	Marionneaux McPherson
-------------------------------------	--------------------------

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd, Senator Murray, and Senator Bajoie to Reengrossed Senate Bill No. 645 by Senator Mount

AMENDMENT NO. 1

On page 20, line 27, delete "**January**"

AMENDMENT NO. 2

On page 20, line 28, delete "**1, 2009**" and insert "**May 3, 2010**"

AMENDMENT NO. 3

On page 29, line 15, delete "**January 1, 2009**" and insert "**May 3, 2010**"

AMENDMENT NO. 4

On page 33, delete line 5 and insert "**in 2010.**"

AMENDMENT NO. 5

On page 38, line 1, delete "on January 1, 2009," and insert "on May 3, 2010."

AMENDMENT NO. 6

On page 38, line 4, delete "On and after January 1, 2009" and insert "After the transfer of offices as provided in this Act,"

AMENDMENT NO. 7

On page 38, line 10, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 8

On page 38, line 19, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 9

On page 38, line 27, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 10

On page 39, line 13, delete "January 7, 2009," and insert "May 3, 2010."

AMENDMENT NO. 11

On page 39, line 17, delete "January 7, 2009," and insert "May 3, 2010."

AMENDMENT NO. 12

On page 40, line 25, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 13

On page 41, line 16, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 14

On page 41, line 18, change "2009" to "2010"

AMENDMENT NO. 15

On page 41, lines 18 and 19, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 16

On page 42, line 12, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 17

On page 42, line 13, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 18

On page 42, line 15, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 19

On page 42, line 24, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 20

On page 42, line 27, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 21

On page 43, line 1, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 22

On page 43, line 19, delete "January 1, 2009," and insert "May 3, 2010."

AMENDMENT NO. 23

On page 43, line 21, delete "January 1, 2009," and insert "May 3, 2010."

Senator Shepherd moved adoption of the amendments.

Senator Mount objected.

ROLL CALL

The roll was called with the following result:

YEAS

Broome Chaisson Cheek Cravins Total - 11	Fields Heitmeier Jackson Jones	Murray Quinn Shepherd
--	---	-----------------------------

NAYS

Amedee Barham Boasso Cain Dardenne Duplessis Dupre Ellington Total - 23	Fontenot Gautreaux B Gautreaux N Hollis Kostelka Lentini Malone Michot	Mount Nevers Romero Schedler Smith Theunissen Ullo
---	---	--

ABSENT

Mr. President Adley Total - 5	Bajoie Marionneaux	McPherson
-------------------------------------	-----------------------	-----------

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Reengrossed Senate Bill No. 645 by Senator Mount

AMENDMENT NO. 1

On page 2, line 5 after "funds;" insert "to consolidate the First and Second City Courts of the City of New Orleans;"

AMENDMENT NO. 2

On page 30, line 2 after "conveyances," insert "the clerks of the First and Second City Courts of the City of New Orleans,"

AMENDMENT NO. 3

On page 38, between lines 26 and 27 insert the following:
"(E) The Offices of the Clerks of the First and Second City Courts of the Parish of Orleans are hereby transferred to the office of the clerk of court on the date provided in this Act for transfer of other offices to such clerk."

Senator Shepherd moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Shepherd
Boasso	Jackson	
Cravins	Murray	
Total - 7		

NAYS

Amedee	Ellington	Mount
Bajoie	Fontenot	Nevers
Barham	Gautreaux B	Quinn
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Hollis	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Michot	
Total - 28		

ABSENT

Adley	Marionneaux
Jones	McPherson
Total - 4	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Reengrossed Senate Bill No. 645 by Senator Mount

AMENDMENT NO. 1

On page 28, line 10, change "Clerk of court as recorder" to "Recorder of Real Properties"

AMENDMENT NO. 2

On page 28, line 11, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 3

On page 28, line 14, "clerk of court" to "recorder of real properties"

AMENDMENT NO. 5

On page 28, line 14, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 6

On page 28, line 17, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 7

On page 28, lines 21 and 22, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 8

On page 28, line 24, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 9

On page 29, line 1, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 10

On page 29, line 2, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 11

On page 29, line 13, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 12

On page 29, line 21, change "clerk" to "recorder of real properties"

AMENDMENT NO. 13

On page 29, line 26, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 14

On page 29, line 29, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 15

On page 30, line 6, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 16

On page 30, lines 21 and 22, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 17

On page 30, line 28, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 18

On page 31, line 2, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 19

On page 31, line 6, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 20

On page 31, line 18, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 21

On page 31, line 23, change "clerk of court" to "recorder of real properties"

June 5, 2006

AMENDMENT NO. 22

On page 31, line 25, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 23

On page 31, line 26, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 24

On page 31, line 29, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 25

On page 32, line 6, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 26

On page 32, line 7, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 27

On page 32, line 10, change "clerk" to "recorder of real properties"

AMENDMENT NO. 28

On page 32, line 16, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 29

On page 32, line 21, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 30

On page 32, line 29, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 31

On page 33, line 1, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 32

On page 33, line 6, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 33

On page 33, line 10, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 34

On page 33, line 16, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 35

On page 33, lines 22 and 23, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 36

On page 33, line 26, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 37

On page 34, line 1, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 38

On page 34, line 6, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 39

On page 34, line 17, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 40

On page 34, line 19, change "clerk of court" to "recorder of real

properties"

AMENDMENT NO. 41

On page 34, line 28, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 42

On page 35, line 3, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 43

On page 35, line 10, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 44

On page 35, line 19, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 45

On page 36, lines 26 and 27, change "clerk of the Civil District Court" and "clerk of court" to "recorder of real properties".

AMENDMENT NO. 46

On page 37, line 7, delete "clerk of the Civil District Court" and insert "Recorder of Real Properties"

AMENDMENT NO. 47

On page 37, line 11, delete "clerk" and insert "recorder of real properties"

AMENDMENT NO. 48

On page 37, line 19, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 49

On page 37, line 21, change "clerk of court" to "recorder of real properties" and delete "of the clerk" at the end of the line

AMENDMENT NO. 50

On page 37, line 22, delete "of court"

AMENDMENT NO. 51

On page 37, line 26, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 52

On page 38, line 1, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 53

On page 38, line 7, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 54

On page 38, line 10, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 55

On page 38, line 16, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 56

On page 38, line 19, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 57

On page 38, line 25, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 58

On page 39, line 1, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 59

On page 39, lines 4 and 5, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 60

On page 39, line 16, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 61

On page 39, line 17, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 62

On page 39, line 20, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 63

On page 39, line 23, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 64

On page 39, line 29, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 65

On page 40, line 3, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 66

On page 40, line 8, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 67

On page 40, line 22, change "clerk" to "recorder of real properties"

AMENDMENT NO. 68

On page 40, lines 25 and 26, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 69

On page 41, line 1, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 70

On page 41, lines 9 and 10, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 71

On page 41, line 15, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 72

On page 41, line 16, change "clerk" to "recorder of real properties"

AMENDMENT NO. 73

On page 41, line 28, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 74

On page 42, line 5, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 75

On page 42, line 10, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 76

On page 42, line 16, change "clerk of court" to "recorder of real properties"

AMENDMENT NO. 77

On page 42, line 19, change "clerk of court" to "recorder of real properties"

Senator Shepherd moved adoption of the amendments.

Senator Mount objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Cravins	Murray
Boasso	Fields	Shepherd
Chaisson	Jones	
Total - 8		

NAYS

Mr. President	Gautreaux B	Nevers
Amedee	Gautreaux N	Quinn
Barham	Heitmeier	Romero
Cheek	Hollis	Schedler
Dardenne	Kostelka	Smith
Duplessis	Lentini	Theunissen
Dupre	Malone	Ullo
Ellington	Michot	
Fontenot	Mount	
Total - 25		

ABSENT

Adley	Cain	Marionneaux
Broome	Jackson	McPherson
Total - 6		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Mount moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Amedee	Ellington	Mount
Barham	Fontenot	Nevers
Boasso	Gautreaux B	Quinn
Broome	Gautreaux N	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 29		

NAYS

Bajoie	Heitmeier	Shepherd
Cravins	Jones	
Fields	Murray	
Total - 7		

ABSENT

Adley	Marionneaux	McPherson
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Murray asked for and obtained a suspension of the rules for the purpose of reconsidering the vote by which House Bill No. 909 failed to pass earlier today.

June 5, 2006

Reconsideration

On motion of Senator Murray, pursuant to the previous notice given, the vote by which the following bill failed to pass earlier today was reconsidered.

HOUSE BILL NO. 909—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2), 571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B), 1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.1, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for the selection of commissioners; to provide relative to the requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to remove references to voting machines, equipment, and paraphernalia no longer in use; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of representatives who voted 'YEAS', including Mr. President, Amedee, Bajoie, Broome, Cheek, Cravins, Duplessis, Dupre, Ellington, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Michot, Murray, Nevers, Quinn, Schedler, Shepherd, and Smith.

NAYS

Table with 3 columns listing names of representatives who voted 'NAYS', including Barham, Boasso, Cain, Chaisson, Dardenne, Fontenot, Lentini, Malone, Romero, Theunissen, and Ullo.

ABSENT

Table with 3 columns listing names of representatives who were absent: Adley, Fields, Marionneaux, McPherson, and Mount.

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

DISAGREEMENT TO HOUSE BILL

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 992 by Representative Marchand, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Marchand, Ansardi and Bruneau.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 594 by Representative Greene, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Greene, Ansardi and Robideaux.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 824 by Representative Frith, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees

on the part of the House:
Representatives Frith, Pierre and Jack Smith.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 511 by Representative Damico, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Damico, Wooton and Romero.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 60 by Representative Gray, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Gray, Ansardi and Gallot.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 186—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 17:1808(J)(1), relative to registration and licensure of certain postsecondary institutions; to provide for an exemption from the requirements for such registration and licensure; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 397—
BY SENATORS ELLINGTON AND ULLO
AN ACT

To enact R.S. 44:23, relative to applicability of public records laws; to provide for the application of such laws to preconstruction estimates for projects of the Department of Transportation and Development; to provide for procedures; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 400—
BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 48:455, relative to the Department of Transportation and Development; to provide relative to the accrual of legal interest against the department in expropriation proceedings; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 406—
BY SENATORS LENTINI AND HINES
AN ACT

To amend and reenact R.S. 40:1299.47(B)(1)(c) and to enact R.S. 40:1299.47(B)(1)(d) and (N), relative to medical malpractice; to provide relative to medical risk review panels; to provide relative to the waiver of such panel; to establish an expedited risk review panel process; to require a written request for such process; to provide for time requirements relative to request for such process, the selection of panel members, and the rendering of the opinion of the panel; to provide relative to notification of certain participants in the panel; to require certain information of certain health care providers; to provide relative to a HIPAA Compliant Authorization form; to authorize a protection order of medical records; to provide relative to certain evidence; to require a written report of the conclusion of the panel; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 308—
BY SENATORS MURRAY AND HEITMEIER AND REPRESENTATIVE
ANSARDI
AN ACT

To amend and reenact R.S. 17:1990(B)(4)(b)(i) and to enact R.S. 17:1990(B)(4)(b)(iv), and R.S. 41:901, relative to the disposition of certain unused school property; to provide relative to the Recovery School District; to authorize the school district and certain city, parish, or other local public school boards to sell, exchange, or lease land or buildings over which it has the rights and responsibility of ownership to certain entities; to provide with regard to the nature of such property transfer; to provide with regard to the applicability of certain laws; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 147—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 40:1235.2(A)(1), relative to ambulance providers; to provide relative to licensure of ambulance services; to provide for exceptions; to expand the allowable distance to transport patients between hospital campuses without licensure as an ambulance provider; to provide definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 189—
BY SENATOR JONES
AN ACT

To amend and reenact R.S. 25:373(B)(4), 380.1(C)(2)(d), 380.52(C)(2) and 1242(C)(2)(h), relative to the secretary of state; to replace the state archivist with the secretary of state or

June 5, 2006

his designee on various museum boards; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 240— BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1371(B), 1372, 1375(B), 1377(C)(1), and (2), and (D)(1), 1378(A)(1), (2), (3)(a)(iii), (b)(ii), and (7), (E), and (F)(30), and 1379, and to enact R.S. 23:1371(D) and 1371.1, relative to workers' compensation; to provide with respect to the Louisiana Workers' Compensation Second Injury Fund; to provide for the confidentiality of records; to provide for definitions; to provide for membership to the second injury board; to provide for the personnel of the second injury board; to provide for payment of assessments and penalties to the second injury fund; to provide for prescriptive periods for submission of requests for reimbursement; to provide for required reports to the second injury board; to provide for notice of decisions of the second injury board; to provide for the diagnosis of mental retardation in a second injury fund claim; to provide for the annual report of the second injury board; and to provide for related matters.

Reported with amendments.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Introduction of Resolutions, Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 99—

BY SENATORS HINES, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO A RESOLUTION

To designate the first Wednesday in June as the annual "Former State Senator Recognition Day."

On motion of Senator Hines, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 100—

BY SENATOR HINES

A RESOLUTION

To commend the New Jersey State Police for their service to the city of New Orleans following Hurricane Katrina.

On motion of Senator Hines, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 118—

BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To commend and congratulate Acadian Ambulance Service, Inc., and Air Med Services, L.L.C., for their outstanding rescue and recovery efforts following hurricanes Katrina and Rita.

The resolution was read by title. Senator Michot moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names: Adley, Marionneaux, McPherson.

Total - 3

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 119—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To create the Louisiana Task Force on Domestic Violence to study current law, policies, and practices in response to domestic and dating violence and make recommendations for legislation to the Legislature of Louisiana no later that April 1, 2007.

The resolution was read by title; lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 120—

BY SENATOR HINES AND REPRESENTATIVE LAFLEUR

A CONCURRENT RESOLUTION

To commend Anne-Marie Fontenot of Sacred Heart High School upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Adley Marionneaux McPherson
Total - 3

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 121—
BY SENATORS HINES AND JONES AND REPRESENTATIVES SALTER AND BRUNEAU

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives relative to the limitations on the filing and consideration of matters intended to have the effect of law and certain amendments thereto during regular sessions held in odd-numbered years.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 157—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(c), relative to the Department of Insurance, including provisions to provide for the re-creation of the Department of Insurance and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 157—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(c), relative to the Department of Insurance, including provisions to provide for the re-creation of the Department of Insurance and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

The bill was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
RETIREMENT**

Senator B. Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

June 5, 2006

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 118—
BY REPRESENTATIVE ARNOLD
A CONCURRENT RESOLUTION

To urge and request the nine statewide public retirement systems to direct at least ten percent of certain trades and commissions through broker-dealers who have been incorporated, domiciled, or who have their principal trading operations in Louisiana for at least two years as required by law applicable to the four state retirement systems, provided no additional costs are incurred by the systems.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 207—
BY REPRESENTATIVES SCHNEIDER, ARNOLD, CURTIS, DOERGE, KLECKLEY, ROBIDEAUX, AND TRICHE
A CONCURRENT RESOLUTION

To approve a cost-of-living increase requested by the board of trustees of the Louisiana State Employees' Retirement System (LASERS) of up to two and four-tenths percent for LASERS' retirees, survivors, and beneficiaries, effective July 1, 2006.

Reported favorably.

HOUSE BILL NO. 45—
BY REPRESENTATIVE TRICHE
AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 178—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:323(A), (B), and (D), relative to provisions affecting more than one retirement system; to provide with respect to participation in the Deferred Retirement Option Plan of certain retirement systems by certain persons; to allow certain terminated members to adjust the periods applicable to their participation in the plan under certain circumstances; to provide for participation in the plan upon reemployment; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 816—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 11:62(5)(b), 444(A)(2), and 450(B), relative to Department of Public Safety and Corrections peace

June 5, 2006

officers who are members of the Louisiana State Employees' Retirement System; to provide for calculation of benefits; to provide for employee contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 922— BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:1002(6), 1141.2(B)(10), 1152(J)(3) and (4), 1402(6), 1422, 1503(7), 1732(15), 1763(J)(1) and (2), 1902(14), 2031(5), and 2178(B)(1)(b) and (C)(1)(c) and to enact R.S. 11:231(C)(3), relative to benefits of the state and statewide retirement systems of Louisiana; to provide for definitions; to provide for calculation of average compensation; to provide for the calculation of benefits after participation in the Deferred Retirement Option Plan; to provide for applicability and effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1026— BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:2252(2), 2253(A)(1)(a)(ii), and 2256(A)(4) and to enact R.S. 11:2252(22) and (23), 2254(D), 2271, and 2272, relative to the Firefighters' Retirement System; to provide for compliance with the Internal Revenue Code; to provide relative to definitions, membership, service credit, and benefits; to provide with respect to tax qualification; to provide for an excess benefit plan; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1362— BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 11:837, relative to the Teachers' Retirement System of Louisiana; to provide for the collection of benefits paid to a member but not due the member; to provide for those amounts to be collected; to provide an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted, D. A. "BUTCH" GAUTREAUX Chairman

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 1— BY REPRESENTATIVE WADDELL

A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on Medicaid reimbursement, relative to Vagus Nerve Stimulators, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

HOUSE CONCURRENT RESOLUTION NO. 2— BY REPRESENTATIVES SMILEY AND SCALISE

A CONCURRENT RESOLUTION

To urge and request the legislative auditor in the auditing of state agencies, as that term is defined in R.S. 39:2, to include in the performance of such audits an examination of the fiscal efficiency of the entity by determining the relationship between fees charged and services rendered and to report entities levying excessive fees to the Legislative Audit Advisory Council and to the appropriate legislative oversight committees.

HOUSE CONCURRENT RESOLUTION NO. 74— BY REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To direct the Department of Social Services to study all aspects relating to the parenting skills education classes for public assistance recipients required by R.S. 46:231.5 and report to the House and Senate Committees on Health and Welfare prior to March 1, 2007.

HOUSE CONCURRENT RESOLUTION NO. 112— BY REPRESENTATIVE TOOMY AND SENATORS HEITMEIER AND ULLO

A CONCURRENT RESOLUTION

To designate the German-American Cultural Center in Gretna as the official German-American Cultural Center for the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 168— BY REPRESENTATIVES GREENE, CURTIS, DOERGE, DURAND, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, MCDONALD, AND WADDELL

A CONCURRENT RESOLUTION

To urge and request congress to amend the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA) to allow state and local governments to prevent the placement of group homes for former substance abusers in proximity to day care centers and preschools.

HOUSE CONCURRENT RESOLUTION NO. 201—(Substitute for House Concurrent Resolution No. 31 by Representative Robideaux)

BY REPRESENTATIVE ROBIDEAUX

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue to design an appropriate notice to displaced citizens of this state providing information on domicile and residence requirements for filing individual income taxes as provided in Title 47 of the Louisiana Revised Statutes of 1950 and to expeditiously mail such notice to all displaced citizens of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 215— BY REPRESENTATIVE T. POWELL

A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Homeland Security and Emergency Preparedness to convene a task force to develop a comprehensive plan to ensure access to temporary emergency electrical power for certain designated private businesses to expedite the re-establishment of community services in times of emergency.

HOUSE CONCURRENT RESOLUTION NO. 245— BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles to continue to improve its efficiency in delivering services to the citizens of Louisiana as those services are offered on the telephone, on the Internet, and at field offices around the state.

HOUSE CONCURRENT RESOLUTION NO. 250— BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate the portion of Louisiana Highway 1 in Iberville Parish as Veterans Memorial Highway and to erect proper signage along this route reflecting this designation.

HOUSE CONCURRENT RESOLUTION NO. 252—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To recognize the activities of the New Orleans Foster Care Awareness Campaign in bringing attention to the needs of foster families.

HOUSE CONCURRENT RESOLUTION NO. 253—

BY REPRESENTATIVES KATZ, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Dr. August G. Danti, professor emeritus at the University of Louisiana at Monroe and an active community volunteer.

HOUSE CONCURRENT RESOLUTION NO. 260—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR B. GAUTREAUX
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death in the line of duty of Sergeant Jeremy Newchurch of the Assumption Parish Sheriff's Office.

HOUSE CONCURRENT RESOLUTION NO. 261—

BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To recognize Shreveport's Historic Music Village, the FAME (Foundation for Arts, Music and Entertainment) District, as a significant cultural, historic, and natural resource for the state of Louisiana.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House
SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS

June 5, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 93—
BY REPRESENTATIVES MCVEA AND WALSWORTH
AN ACT

To amend and reenact R.S. 37:756(A), 760(A)(1), and 766 and to enact R.S. 37:753(C)(4), 760(A)(15), 761(C), 764(D), and 795(B)(2)(a)(iii) and (iv) and (3)(a)(iii) and (iv) and (C), relative to the Dental Practice Act; to provide for the suspension of nominating procedures; to provide for receipts and disbursements of the board; to provide relative to the powers and duties of the board; to provide relative to the requirements of applicants for a dental license and a dental hygiene license;

to provide for the supervision of dental hygienists; to increase costs and fees; and to provide for related matters.

HOUSE BILL NO. 106—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:2803(C)(introductory paragraph) and (D), relative to the Louisiana Interagency Task Force on the Future of Family Medicine; to change the reporting date; to extend the termination date; and to provide for related matters.

HOUSE BILL NO. 110—
BY REPRESENTATIVES PINAC AND BALDONE
AN ACT

To amend and reenact R.S. 37:1446(H), relative to real estate brokers; to provide that certain real estate salespersons or associates of real estate brokers are independent contractors and not employees; and to provide for related matters.

HOUSE BILL NO. 119—
BY REPRESENTATIVES PINAC AND BALDONE
AN ACT

To enact R.S. 37:1449.1, relative to purchase agreements for residential real property; to require Louisiana Real Estate Commission licensees to use a uniform purchase agreement form; to provide for promulgation of the form by the commission; and to provide for related matters.

HOUSE BILL NO. 130—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 42:1132(B)(2)(a)(i), relative to the nominating committee for nominees for positions on the Board of Ethics; to change the composition of such nominating committee; and to provide for related matters.

HOUSE BILL NO. 158—
BY REPRESENTATIVE K. CARTER
AN ACT

To repeal R.S. 22:1137(A)(10) and 1139(C)(8) and Part VII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1751 through 1770, relative to regulation of automobile service clubs by the commissioner of insurance.

HOUSE BILL NO. 197—
BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(l), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 198—
BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(k), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 248—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:32(5) and (9), relative to domestic incorporated insurers; to provide for the requirements of articles of incorporation of such insurers; and to provide for related matters.

June 5, 2006

HOUSE BILL NO. 250—
BY REPRESENTATIVE K. CARTER
AN ACT

To repeal R.S. 22:83 and 130, relative to domestic insurers; to delete the requirement of United States citizenship to serve on the board of directors or be an officer of a domestic stock insurer or a domestic mutual insurer.

HOUSE BILL NO. 252—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:2003(B)(5) and (9), relative to health maintenance organizations; to provide for the requirements of articles of incorporation of health maintenance organizations; and to provide for related matters.

HOUSE BILL NO. 285—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 37:1459(D), relative to the real estate commission; to provide for return of fees collected by unlicensed persons; and to provide for related matters.

HOUSE BILL NO. 311—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 42:1169(D) and to enact R.S. 42:1169(E) and (F), relative to procedures of the board of ethics; to require the board of ethics to provide notice to the appropriate agency head or governing authority of an investigation, hearing, or consent opinion related to a public servant's reprisal for disclosure of improper acts; to require an agency to cooperate with the board's investigation and be a party to the board's investigation, hearing, or consent opinion; to provide for the stay of any action by the board if a civil action or adjudicatory action on the same matter is pending; to provide for the outcome of the civil action or adjudicatory action to resolve all related matters before the board; and to provide for related matters.

HOUSE BILL NO. 340—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:636(G), relative to nonrenewal of certain insurance policies; to provide for notice of nonrenewal to persons with an interest in any loss covered by the policy; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 5, 2006

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 10—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development and the Department of Agriculture and Forestry to promote the use of alternative fuels and provide incentives for companies and consumers who use alternative fuels.

SENATE CONCURRENT RESOLUTION NO. 65—
BY SENATOR SMITH
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an amendment to the Constitution of the United States to define marriage in the United States as the union between one man and one woman.

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of Winborn E. Davis, health care professional, consultant, educator, author, and administrator.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

June 2, 2006

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bill:

SENATE BILL NO. 9—
BY SENATOR SMITH AND REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(a), relative to the Department of Agriculture and Forestry; to provide for the re-creation of the Department of Agriculture and Forestry and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message to the Secretary of State

**SIGNED
JOINT RESOLUTION**

June 2, 2006

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Joint Resolution:

SENATE BILL NO. 1—

BY SENATOR MCPHERSON AND REPRESENTATIVE BRUNEAU AND SENATORS ADLEY, AMEDEE, BARHAM, CAIN, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, SCHEDLER, SMITH, N. GAUTREUX AND MARIONNEAUX AND REPRESENTATIVES STRAIN, SCHNEIDER, R. CARTER, CRAVINS, MONTGOMERY, TOWNSEND, HUNTER, ALARIO, ALEXANDER, BALDONE, BAUDOIN, BOWLER, BURNS, CAZAYOUX, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, HILL, JEFFERSON, JOHNS, KLECKLEY, LAFONTA, LANCASTER, MCDONALD, MCVEA, T. POWELL, RITCHIE, ROMERO, WALSWORTH, BADON, BAYLOR, BEARD, BURRELL, CHANDLER, CRANE, DEWITT, DORSEY, ERDEY, FAUCHEUX, GLOVER, HARRIS, HEATON, HEBERT, HOPKINS, JACKSON, KATZ, KENNEY, LABRUZZO, MARCHAND, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, ROBIDEAUX, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, THOMPSON, TRAHAN, TRICHE, TUCKER, WADDELL, WHITE AND WINSTON

A JOINT RESOLUTION

Proposing to amend Article I, Section 4(B) and Article VI, Section 21(A) and to add Article VI, Section 21(D) of the Constitution of Louisiana, relative to the expropriation of property; to prohibit the expropriation of property by the state or a political subdivision of the state for the predominant use by or transfer to any private person or entity under certain circumstances; to provide for the definition of "public purposes"; to provide for items included in just compensation to be paid to the owner of expropriated property; to provide exceptions for the operation of public ports; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

The Senate Joint Resolution contained herein was presented to the Secretary of State by the Secretary.

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

June 2, 2006

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATORS SMITH AND ELLINGTON AND REPRESENTATIVES CHANDLER, MONTGOMERY, SALTER AND TOWNSEND

A CONCURRENT RESOLUTION

To commend and congratulate Northwestern State University Demons basketball coach, Mike McConathy, upon the occasion of the completion of the 2005-2006 basketball season, which included a win in the National Collegiate Athletic Association (NCAA) men's basketball tournament and the winning of its second consecutive Southland Conference championship.

SENATE CONCURRENT RESOLUTION NO. 100—

BY SENATORS MALONE, CHEEK AND JACKSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Sarah Ann Hoffman Snyder.

SENATE CONCURRENT RESOLUTION NO. 102—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To recognize October 1, 2006, as World Peace Day in the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 101—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the office of group benefits to conduct a second phase of study for gastric bypass surgery.

SENATE CONCURRENT RESOLUTION NO. 107—

BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES GEYMAN, E. GUILLORY, JOHNS, KLECKLEY AND MORRISH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the process to replace the Interstate 10 Calcasieu River Bridge and its approaches and to request law enforcement officials to strictly enforce the speed limit and lane usage by motorists on the bridge.

SENATE CONCURRENT RESOLUTION NO. 108—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To acknowledge and commend the outstanding efforts of the Health Services Recovery Council and its affiliated health planning groups serving the significantly impacted parishes of Cameron, Jefferson, Orleans, Plaquemines, St. Bernard, and St. Tammany, and the Greater Baton Rouge Area; recognize the Health Services Recovery Council as an integral part of this state's efforts to restore the health system and protect the health of our citizens; and urge and request the Health Services Recovery Council to continue to focus on the health care, mental health, and dental health care needs within their parishes, pursue broad regional coordination of resources within their parishes, pursue broad regional coordination across facility types and across their parishes, represent and speak on behalf of their parishes before the legislature and at Louisiana Recovery Authority meetings or before other state or federal entities, coordinate with local community-based and state level planning efforts, serve as the coordinating council to identify and provide clear expectations for their parishes' health care recovery, serve on behalf of the residents of their parish and meet with such residents to ascertain their health care needs, and plan for future hurricane needs.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were presented to the Secretary of State by the Secretary.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 2, 2006

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 78—

BY SENATORS SHEPHERD AND ULLO

A RESOLUTION

To commend and congratulate Chris and Laura Richard for their efforts in getting the church and physical plant at St. Joseph the Worker Catholic Church back up and functional after Hurricane Katrina and for their continued dedication to the church parish.

June 5, 2006

SENATE RESOLUTION NO. 89—
BY SENATOR BROOME

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Larry Joseph Darensbourg.

SENATE RESOLUTION NO. 90—
BY SENATOR NEVERS

A RESOLUTION

To commend the Reverend Freddie C. Henderson, Sr., District Superintendent of the New Orleans District of the Louisiana Conference of the United Methodist Church, on the occasion of his retirement.

SENATE RESOLUTION NO. 91—
BY SENATOR LENTINI

A RESOLUTION

To commend and congratulate Deeni Shannon on her many outstanding achievements and accomplishments and on being recognized and honored as the recipient of the Assisted Living Federation of America Hero Award.

SENATE RESOLUTION NO. 92—
BY SENATOR HINES

A RESOLUTION

To commend the United States Postal Service and declare June 2, 2006, as United States Postal Service day at the Louisiana Senate.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Leaves of Absence

The following leaves of absence were asked for and granted:

Adley 1 Day McPherson 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Tuesday, June 6, 2006, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, June 6, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk